



# Ordinary Meeting of Council Minutes

**held on Tuesday 18 August 2020 at 7.00pm  
via TEAMS**

**\*\*Corrected by resolution at the Council Meeting held on Tuesday 20 October 2020**

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## **1. Acknowledgement of Country**

*“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.*

*We acknowledge their creator spirit Bunjil, their ancestors and their Elders.*

*We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.*

*We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.*

*We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”*

### **1. A. – Acknowledgements**

#### **Clauscen Street Fire:**

*The Mayor acknowledged the residents that had to evacuate and family of the 3 year old boy who lost his life due to the fire that broke out at the block of apartments on the corner of Clauscen Street and Nicholson Street, North Fitzroy.*

*The Mayor also gave her condolences on behalf of the City of Yarra to the family of the 3 year old boy and the people that knew and loved him.*

#### **Stage 4 Lockdown:**

*The Mayor also thanked on behalf of Council the Chief Executive Officer – Vijaya Vaidyanath, the Director City Works and Assets - Chris Leivers, Director Community Wellbeing - Lucas Gosling and Council officers for their hard work and helping many Yarra residents during the stage 4 lockdown.*

## **2. Attendance, apologies and requests for leave of absence**

### **Attendance**

#### Councillors

- Cr Misha Coleman (Mayor)
- Cr Mi-Lin Chen Yi Mei (Deputy Mayor)
- Cr Danae Bosler
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O'Brien
- Cr James Searle
- Cr Amanda Stone

#### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive's Office)
- Brooke Colbert (Acting Group Manager Advocacy, Engagement and Communications)
- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People, Culture and Community)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Rhys Thomas (Senior Governance Advisor)
- Mel Nikou (Governance Officer)

## **3. Declarations of conflict of interest (Councillors and staff)**

Councillor Nguyen declared a conflict of interest on item 4.2.

## 4. Confidential business reports

### Item

#### 4.1 Collingwood Town Hall Precinct Development

*This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

*These grounds are applicable because the report contains information about commercial land values and development yields provided on a commercial in confidence basis.*

#### 4.2 Contract C1530 – Contract for Legal Services

*This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

*These grounds are applicable because the report contains information submitted on a commercial in confidence basis by private businesses as part of a competitive procurement process.*

## Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

### COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor Coleman

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information.

**CARRIED**

Following consideration of Confidential business, the meeting resumed in open session.

## 5. Confirmation of minutes

Confirmation of the minutes of the Ordinary Council Meeting held on Tuesday 4 August 2020 will be confirmed at the next Council Meeting on Tuesday 18 August 2020.

## 6. Petitions and joint letters

Nil

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## 13. Urgent business

Nil

## 6. Petitions and joint letters

Nil

## 7. Public question time

This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. A recording of the Council Meeting (including Public Question Time) is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

### 7.1 Herschel Landes – Active Transport

Question:

Last week a Webinar was conducted by Bicycle Network that discussed emergency measures to improve active transport options in a COVID economy to cope with social distancing and commuting and managing issues from those responses.

In that webinar RACV's Stuart Outhred acknowledged Yarra Council's leadership in improving bike infrastructure and also pointed to emerging network of priority bike routes.

He noted RACV's recent surveys that showed an expected increase of up to 27% in cycling in most cities!!!

Stuart noted that 89% support the installation of temporary bike lanes in their local area to support people riding for transport and 81% of respondents would like to see car parks temporarily removed to make way for popup bike lanes as per example Elizabeth St trial.

Last the Age reported that Minister for Transport Jacinta Allan said Melburnians would emerge from the pandemic with vastly different travel needs. "To address the reduced need travel to the city, Ms Allan said the government was in talks with Melbourne City Council about fast-tracking the construction of protected bike lanes on key routes."

However the webinar contributors were in unison that any emergency measures must be open to continuous feedback and there has to be a space for inclusive conversation and constant tweaking.

My question to Council therefore goes to solution driven working group of key stakeholders to address the project in real time, pushing out key data and allowing feedback around the trial to ensure a positive long term outcome.

Response:

*The Director Planning and Place Making advised;*

*In relation to Councils position on cycling, Council for a number of years have been trying to introduce and improve cycling infrastructure in the city and Council has also recognised the COVID situation both now and also when restrictions ease and more people wanting to use bikes rather than public transport.*

*The Elizabeth Street matter is a pilot and trial and it is a trial for twelve months and that is the intention and will include opportunities to look at and adapt it as necessary, and current situation.*



*Council would also be aware that a petition has been received and we are getting some comments so it has actively been looked at as part of that adaption and refinement.*

*The question whether a working group is considered appropriate or necessary, that is a matter for Council determination, but I don't think that it is necessary in the context that the evaluation and aspects will be looked at in the ongoing manner and Council is kept informed.*

*Councillor Jolly left the meeting at 7.12pm*

*Councillor Jolly returned at 7.15pm*

*Councillor O'Brien left the meeting at 7.15pm*

*Councillor O'Brien returned at 7.17pm*

## 7.2 Shane Delphine, Yarra Climate Action Now (YCAN) – Electric Vehicle Recharging

### Question:

In November 2019, YCAN put a question to Council seeking information regarding the City of Yarra's (COY's) strategy for facilitating the roll out of electric vehicle recharging infrastructure across the municipality in order to encourage the uptake of electric vehicles - noting the many benefits that a broad-based uptake would have for the community as a whole.

We were told at that time that a discussion paper was being prepared. YCAN is not aware whether that paper has been completed and/or released publicly.

Section 4.4 of the Climate Emergency Plan contains a series of aspirational statements regarding electric vehicles – however, any action is seemingly deferred to the yet-to-be-released Integrated Transport Plan.

Furthermore, YCAN is unaware of any funding commitment for electric vehicle infrastructure in the 2020/21 budget.

At the most recent webinar in YCAN's Climate Solutions series, our guest speaker, Tim Washington, Head of Australia's Electric Vehicle Council, indicated that there is no viable private sector business model for the provision of electric vehicle recharging infrastructure as the user base is currently too small. The public sector needs to take the lead – as it has in numerous jurisdictions globally - including several neighbouring municipalities.

When will the COY's electric vehicle strategy be completed and/or be made public?

When will the COY fund initiatives to drive the uptake of electric vehicles across the municipality?

### Response:

*The Director Planning and Place Making advised;*

*Officers have been working on the topic over the last twelve months to eighteen months and working with the Council Alliance for a Sustainable Built Environment (CASBE) and that is working up towards some best practice standards for EV installations.*

*Promotion and advocacy has been a matter that Council has been active in as well and Council also submitted to the zero emissions road map last year.*

*The topic raises the question of the options that Council could certainly assist; Council could own charges and use a paid model, Council could provide that as a free service, could be owned in partnership with businesses or a third party like a petrol station. There is also the point in principle whether Council should get involved in the provision of them. Council needs to take an active role in advocating for EV installations because there is a gap in the area of the City of Yarra and a matter of Council policy what form that would take.*

*Officers are working diligently on the matter with other Council officers across the organisation and certainly with other agencies that promote the matter.*

*So there isn't a strategy at this point in time and I will keep Councillors informed and in terms of the funding initiatives, again that would be matter for Council public policy decision.*

### 7.3 Robert Buttery – Increased patrolling around the Medical Supervised Injecting Room (MSIR)

Question:

I have been a Medical Practitioner for 35 years, live in Richmond and witness at first hand events that happen in the area.

It's commendable that Yarra Council is managing risk and concerned about the safety of its residents and visitors during the pandemic.

By far the greatest COVID risk location is the area around the Medical Supervised Injecting Room. This is the area with the greatest concentration of vulnerable people, the area where social distancing is not being maintained, the area where group gatherings occur, the area where face covering is not being used and the area where good individual decisions are not being made.

There is a visiting population of up to 300 people a day who travel outside their 5 km home zone to visit the MSIR for medical treatment.

The surrounding community housing estate, primary school and residents puts 1000's at risk. This is a perfect storm.

I would ask Yarra Council to use emergency powers to control pedestrian access in the area surrounding the MSIR, parks, community housing, nearby school and Lennox Street park area at Victoria Street.

With these significant safety breaches, I would ask the Yarra Council to pass on the community concerns to Police and State Government counterparts and request increased patrolling and supervision of this area.

Response:

*The Director Community Wellbeing advised;*

*Council shares concerns about reducing the risk for community transitioning including those who may come to Yarra for any purpose including essential purposes. We have certainly had a number of reports from members of the community on this matter before so we are aware of it.*

*As Councillors would already be aware, we are working closely in partnership with many other authorities responding to COVID including DHHS to manage those issues across the municipality. I am happy to report that the matter has already been raised with both Victoria Police and North Richmond Community Health who are aware of some of these community concerns. I am aware that Victoria Police has increased bike patrols in particular and this has been tasked across Yarra*

*including across the North Richmond precinct.*

*I should also mention that North Richmond Community Health has an extensive risk mitigation process in place for those who attend the MSIR. There has been extensive testing in the facility as part of their overall COVID testing program. It may be surprising to know that despite the extensive testing that is in place a number of COVID positive amongst this particular population is extremely low and in fact to the extent that as of last week there were none and understand there is more now and of course that is no reason not to continue to be vigilant.*

*I will also mention that if a positive case is identified, the person will be excluded from entering the MSIR for a period of their isolation and North Richmond Community Health is providing extensive support for them during that time.*

*In relation to Council powers of enforcement, unfortunately Council has no statutory power to enforce social distancing under any kind of emergency power. It is unlikely in my view to realistically control pedestrian access across such a large area that includes people's homes particularly noting that North Richmond contains the largest public housing estate in Victoria and also a range of other services that are deemed as essential at the moment.*

*The matter for social distancing is a general matter for Victoria Police and I am advised that any enforcement action would need to be undertaken by them. That's not to say that Council officers can't play a supporting role, we have done that in a number of areas. Officers can refer these matters to Police, but in the first instance we would encourage anyone in the community that are witnessing anything they are concerned about to contact Police directly so that they can receive a timely response.*

#### 7.4 Annette Helsing – Planning Controls

Question:

As a concerned resident of North Fitzroy where pressure from development and demolition is very real - Piedimonte's supermarket has appealed their inappropriate development plans to VCAT - when will Council move to use the planning control tool DDO to set height and street wall limits, determine setbacks from neighbouring properties at the rear, and protect the heritage and mixed use diversity of the North Fitzroy village from being demolished?

Response:

*The Director Planning and Place Making advised;*

*Council is familiar that there has been a number of planning scheme provisions approved by the Minister for Planning as interim planning controls that Council have pursued and certainly working on permanent controls. The officers are working on planning provisions around a number of parts of the city including the major shopping centres. The program for the next foreseeable future is pretty much fully deployed. I do however understand the submitter's points of view. The existing planning scheme provisions are what really need to be used until such time as Council is able to do the justification work for pursuing any further controls. As Councillors are familiar, it does require a considerable amount of analysis to be able to hold up for the Department of Planning and the Minister, so regrettably I can't commit to anything to this particular shopping centre at this point in time.*

*There are a number of areas in the city that still do need further planning scheme adjustments. What I can say is that we are concentrating on the major shopping centres like Bridge Road, Victoria Street, Swan Street, Smith Street, Johnston Street,*

*Brunswick Street and along the Collingwood area; and certainly there is significant pressure as you would be aware around the Wellington Street area - and a number of people have been advocating and campaigning to the Council for further work there and we will be starting that work at the end of this calendar year. So the area you are referring to will probably be at least a further 12 months away before we could make a start due to the capacity of the office to deal with it.*

#### 7.5 Heath Ryan – Safer Roads for Cyclists

**Question:**

Would Council allocate resources to achieve safer roads for cyclists and commuters who ride bicycles widely across the Council area, at a relatively low cost when compared to the costs of building separated infrastructure? If the answer is yes, then Yarra City Council are invited to commission me, for \$0, to produce such a report.

**Response:**

*The Director Planning and Place Making advised;*

*What I can say is that Council do a great deal across the city in terms of improving and assisting and adjusting bicycle areas and traffic management, whether its line marking or installing green surface paint, constructing priority crossings, installing bike lamp head starts and traffic calming etc. Certainly improving cycling is important for Council as community safety in general terms and a number of other matters obviously; tram tracks, car parking and allocation of road space for kerb to kerb make things complex and we experience that in any strategic transport proposals and there are a number at present with Council.*

*I am happy to meet Mr Ryan with key staff and discuss his proposal and if he is prepared to do some concepts for us that would be welcomed.*

*Councillor Chen Yi Mei left the meeting at 7.29pm*

*Councillor Chen Yi Mei returned at 7.31pm*

*Councillor Jolly left the meeting at 7.30pm*

*Councillor Jolly returned at 7.32pm*

*Councillor O'Brien left the meeting at 7.31pm*

*Councillor O'Brien returned at 7.34pm*

## 8. Delegates' reports

### 8.1 Councillor Bosler - Disability Advisory Committee (DAC)

<b>Committee</b>	Disability Advisory Committee (DAC)
<b>Appointed Councillors</b>	Cr Danae Bosler and Cr Steve Jolly
<b>Date of Council Meeting</b>	18 August 2020
<b>Date of Report</b>	17 August 2020
<b>Report Author</b>	Cr Danae Bosler

#### DELEGATES REPORT

The wonderful Disability Advisory Committee has met on-line in June, July and August and a discussed a range of issues including:

- (a) Tram stops – Brunswick St;
- (b) Accessible Housing;
- (c) Accessible on-line meetings;
- (d) Centrelink Office;
- (e) Yarra Moves Strategy presentation; and
- (f) COVID 19

At the August meeting, Council's Strategic Transport Unit sought feedback on the idea of trialling temporary tram-stops along Brunswick Street as a possibility. This was in the context of there being an opportunity to test some models, including bike lanes and tram stops, ahead of any permanent works occurring in the future. It was noted that this may involve models that are NOT fully compliant. The DAC generally supported this idea, noting that it wouldn't want to see this being a permanent solution, and also being very keen to be involved in the process and understanding any options.

A member report noted that the Federal Government, via the Building Ministerial Forum and the Australian Building Code Board (responsible organisation), is assessing the Regulatory Impact Statement on Accessible Housing. Feedback is being sought from individuals and interested organisations by the end of this month. Officers advised they will work with the Convenor of the Australian Network for Universal Housing Design (David Brant – DAC member) to provide a response in line with Council's long-standing position of supporting the work of ANUHD.

While the DAC has met over recent months, there have been challenges in enabling all members to participate effectively. Officers have been supporting members with training and guidance, however there are different levels of technology skills and access. I understand further work is underway to improve access however I wish to note that as an organisation we need to ensure all committee members are able to access meetings – in the same way we do when meeting in person, and I want to thank officers for their work to date to help DAC and residents more broadly can better access IT.

Members also noted the campaign to maintain a Centrelink Office in Yarra and the importance of access to all, including people with disability. Support for continuing advocacy by Council on this issue.

Officers have continued to present draft strategies and plans to DAC, with the Yarra Moves Strategy, revision of the Access & Inclusion Action Plan, developments in the Home & Community Care – Program for Younger People, and Disability Parking Bays discussed in past months. A presentation from Cultivating Communities was also well received at the July meeting.

The challenge of COVID 19 is clearly impacting on people with disability and members have talked about the social isolation and anxiety that they are aware of within the community.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Bosler

**Seconded:** Councillor Jolly

1. That Council note this Delegates Report.

**CARRIED UNANIMOUSLY**

### 8.2 Councillor O'Brien - Heritage Advisory Committee (HAC)

<b>Committee</b>	Heritage Advisory Committee (HAC)
<b>Appointed Councillors</b>	Bridgid O'Brien, Danae Bosler and James Searle
<b>Date of Council Meeting</b>	18 August 2020
<b>Date of Report</b>	1 August 2020
<b>Report Author</b>	Bridgid O'Brien

### **DELEGATES REPORT**

The Heritage Advisory Committee (HAC) met on 25 June 2020. Cr Bosler, Cr Searle and Cr O'Brien were in attendance. Cr Bosler chaired for the majority of the meeting but had to leave before the end, Cr Searle assumed the seat, but an emergency arose, and so Cr O'Brien took the chair to the end of the meeting.

Agenda items for this meeting included:

- 1. Introductions and Welcome to newly appointed members.**
- 2. HAC member's feedback on the Heritage Management Plan (HMP) World Heritage Site – Royal Exhibition Building and Carlton Gardens on Public Exhibition.** Yarra's response Report to next Council meeting.

HAC views on the draft World Heritage Management Plan and review process included:

- There are a large number of documents that form the World Heritage Management Plan, this leads to a lack of clarity, difficulty in finding specific documents and there seems an ambiguity of document naming. A diagram on overall governance structure with clear interrelationship between the documents is required.
- The new exhibited draft HMP seems more specific and directed by breaking the site into small components (around 30 – 40) providing a level of significance for each and a policy for every particular item: such as garden

beds, car park, caretakers shed or tennis courts etc., which then includes a rationale. It appears an improvement over the previous Conservation Management Plan as it is more structured, detailed with more direct and specific guidance on various elements within the world heritage site, establishing their significance, including policies to address that significance with a rationale to explain the policies. Requires a clear statement of preservation objective overall.

- This review process proposes a consultation with the Aboriginal community and preparation of a separate document post that consultation, identifying the cultural values of the Aboriginal community to this site. This is a gap in the current work which needs to be completed and the current HMP document must then be modified based on the findings of this further work.
- An effective Management Plan of the world heritage site will require an interpretation plan and an investment plan to support its implementation.
- HAC generally supports the revised draft HMP and will provide further feedback prior to Officer Report for 21 July and Council Resolution.

Please see extract from the 21 July 2020 Ordinary Meeting of Council minutes:

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**11.1 Update on the World Heritage Management Plan review and the draft Heritage Management Plan for Royal Exhibition Building and Carlton Gardens**

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Reference: D20/120407

Authoriser: Group Manager Chief Executive's Office

**RECOMMENDATION**

1. That Council:
  - (a) notes the above report;
  - (b) in accordance with Option 2, makes a response to the draft Heritage Management Plan for the REB&CG;
  - (c) authorises officers to email Council's response in Attachment 4 to [heritage.policy@delwp.vic.gov.au](mailto:heritage.policy@delwp.vic.gov.au) as outlined in Option 2, before the close of this consultation on 27 July; and
  - (d) authorises officers to provide general feedback on the existing WHMP for its review in line with para 56 above through Engage Victoria Consultation webpage for REB&CG.

**COUNCIL RESOLUTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Stone

1. That Council:
  - (a) notes the above report;
  - (b) in accordance with Option 2, makes a response to the draft Heritage Management Plan for the Royal Exhibition Building & Carlton Gardens;
  - (c) authorises officers to email Council's response in Attachment 4 to [heritage.policy@delwp.vic.gov.au](mailto:heritage.policy@delwp.vic.gov.au) as outlined in Option 2, before the close of this consultation on 27 July; and

- (d) authorises officers to provide general feedback on the existing World Heritage Management Plan for its review in line with para 56 above through Engage Victoria Consultation webpage for Royal Exhibition Building & Carlton Gardens with the following additions:
  - (i) the need to include and develop a separate interpretation and signage plan;
  - (ii) the need to include, in the World Heritage Environs Area, protections for:
    - a. the whole site, including its environs and the dome views from the intersection of Brunswick and Gertrude Streets;
    - b. the whole Gertrude Street (north and south sides) up to Brunswick Street; (which includes the significant places of Glass Terrace and Barcelona Terrace);-as well as
    - c. the heritage streetscapes of Greeves Street (west of Brunswick Street) and the whole of Bell Street; and
  - (iii) the need for a Statutory Authority with funding and co-ordination to ensure appropriate protection, management and conservation of the world heritage site and its environs;
  - (iv) seeking clarification of the role played by the Carlton Gardens as a setting for the Royal Exhibition Building and not an exhibition space, and the desirability of it hosting a commercial flower show annually which removes a part of the gardens from its role as a settings for the Royal Exhibition Building and closes part of the gardens to public access for up to 2 months of each year; and
  - (v) further to 2.5 in the Draft Heritage Management Plan, and following completion of the additional document on Aboriginal Cultural Heritage, Council supports early action on that document before the next revision of the Heritage Management Plan in seven years time.

**CARRIED UNANIMOUSLY**

### **3. Role of the Heritage Advisory Committee**

HAC members raised the issue that there has been some turnover on HAC (though this is not uncommon for voluntary committees), some dissatisfaction amongst HAC members with the lack of clarity about their role, and a perceived lack of effectiveness (or significance) of the Committee. The following issues were discussed:

- (a) HAC Agenda Items often include matters which have been underway for some time or are ready for consideration by Councillors. Concern was expressed about tokenistic consultation, particularly on strategic projects. Genuine consultation should be at an early stage of Council process to provide informed expertise and recommendations to Councillor/s;
- (b) Lack of clarity around ToR, advising Council, Councillors or Council officers and providing advice. Advice to Council should mean that HAC can advise; and
- (c) The Committee view was that consultation with HAC as an entity needs to be treated separately to community member submissions on heritage matters.

HAC made an email submission to Council seeking clarification on the following issues and points:

- (a) The purpose of HAC is unchanged in the new ToR: to provide advice to Council on heritage matters including Yarra's natural, built and cultural heritage;
- (b) That, to fulfil its purpose, HAC needs to be consulted on matters which require, or would benefit from, its advice at an earlier stage than currently occurs and that the Sr. Advisor, Heritage needs to be supported within Council to enable



this;

- (c) That the City of Yarra clarifies for Members in what circumstances it is considered appropriate for HAC to develop submissions (if any or to whom), and when HAC may formulate advice as a body and when it may not;
- (d) That HAC is promoted within Council as a resource.

#### **4. Heritage Strategy implementation priorities and Yarra's Budget**

The Committee considered the Heritage Strategy implementation table and update on progress. It was agreed additional resources were required for timely implementation of the Heritage Strategy.

HAC recommended that Council should resource a Heritage Department as a priority. Based on the implementation actions of the Heritage Strategy, further resources required were identified as:

- Heritage Advisor
- Heritage Projects Officer
- Aboriginal Heritage Projects Officer (identified as a high priority)
- Student

HAC suggested that the requirement of the above resources should be included in the Delegate's report.

#### **5. Heritage Guidelines - structure and form**

The draft structure of the Heritage Guidelines were presented to the HAC meeting and an initial version of the draft previously circulated with the HAC Agenda.

The following points were raised during the discussion:

- (a) The Guidelines need to be written with the audience in mind;
- (b) An Introduction should be included that clearly addresses what the reader is looking for and where to find it;
- (c) A Glossary should be written in a way that it's easy for the community to follow and should include information on:
  - (i) What is a Heritage Overlay, What is the Burra Charter; and
  - (ii) It should reference that there are other guidelines such as the Planning Scheme and how they relate; and
- (d) A good visual communication style for the Guidelines was recommended.

#### **6. Preparing a Framework for Managing Council Owned Heritage Assets**

A brief introduction on the purpose of this project was provided. Findings of the consultation with various internal departments and likely outcomes were presented.

- Clarification was requested on archaeological and Aboriginal assets.  
These will not be included as a part of this project. The recommendation to integrate Archaeological and Aboriginal values information within the Asset Management Register could include columns for these and populated after further work on these aspects is completed by Council Officers.
- Remnants of the inner circle train line are important assets which should be included and protected, including those in Linear Park, North Carlton and Fitzroy North.

#### **7. Planning Scheme rewrite: Landmarks Policy and Yorkshire Brewery**

HAC members agreed that the views to the Yorkshire Brewery and the Royal

Exhibition Building Dome should be included as part to the Landmarks Policy.

Links to the proposed Heritage Policy and the Planning Scheme rewrite be provided to members of HAC.

## COUNCIL RESOLUTION

**Moved:** Councillor O'Brien

**Seconded:** Councillor Jolly

1. That Council:

- (a) note this Delegate's Report; and
- (b) consider the HAC advice in 3, 4, 5, 6 & 7 above.

**CARRIED UNANIMOUSLY**

### 8.3 Councillor O'Brien - Yana Ngargna Advisory Group

<b>Committee</b>	Yana Ngargna Advisory Group
<b>Appointed Councillors</b>	Bridgid O'Brien and Amanda Stone
<b>Date of Council Meeting</b>	18 August 2020
<b>Date of Report</b>	8 August 2020
<b>Report Author</b>	Bridgid O'Brien

## DELEGATES REPORT

The Yana Ngargna Advisory Group met on 2 July 2020 online. Councillors in attendance were Mayor Coleman, Cr Stone and Cr O'Brien. Aunty Annette Xiberras was acknowledged for her commitment to this Advisory Group at Yarra Council for the last 20 years, acknowledged as the longest serving Wurundjeri Elder on the Committee and for establishing it with Aunty Denise Lovett. Also, Aunty Annette was acknowledged with Aunty Rieo Ellis and other community for the work on the Black Lives Matter motion that went to Council.

**The Black Lives Matter movement in the Australian context Agenda Item took up the whole meeting time.**

Follow up from last meeting:

**It is compulsory that police contact the Victorian Aboriginal Legal Service AS SOON AS an Aboriginal or Torres Strait Islander person is taken into custody by police**, also the Aboriginal Community Justice Panel is to be contacted to visit police cells.

- It was noted that this doesn't always happen.
- A clear definition of what 'In Custody' means is needed and to be understood (by Community to know their rights but mostly by Police). Follow-up on this from Deaths in Custody Report requested.

It was acknowledged that Aboriginal Deaths in Custody is difficult to talk about and a very traumatic issue. Thanks given for input and generosity in sharing of advice to Council. Noted the Motion was unanimously supported by Council.

Basis of today is to start the consultation with the community to keep up the momentum of the global movement with a focus on the Australian context, specifically the ongoing issue of Aboriginal Deaths in Custody but also the long struggle against institutional racism and structural inequalities dating back to the first days of invasion.

Specific actions Yarra is asking for direction on from the Yana Ngargna Advisory Group is the opportunity for a significant artwork to be produced in Yarra, to draw attention to the issue and provide solidarity.

- It was agreed a Yarra Black Lives Matter working group be established to meet every two weeks for direction on the specific issue - to create a significant artwork or mural to capture the movement, to amplify the message, to be done quickly and to express this locally, nationally and internationally.

A brief Report including a variety of images and artwork from the Black Lives Matter movement around the world was presented, which also included the lifespan of various art mediums for consideration.

Further information was provided about an audit of Yarra collections, monuments/memorials, plaques and place names to identify those that celebrate or are linked to perpetrators of injustices against Aboriginal and Torres Strait Islander communities. Yarra Council Officers will come back to the Yana Ngargna Advisory Group for advice on whether a specific item should be removed, replaced, renamed or added to. It is intended this audit will include policies and procedures within Yarra to address systematic racism and institutional inequalities. The Audit Report is intended to be presented to Yana Ngargna then to Council in October.

Issues raised in the following discussion included:

- (a) The importance of truth telling was discussed, that Aboriginal people shouldn't have to deal with further trauma created by colonial symbols or have to fight for the trauma to be acknowledged, Aboriginal health & wellbeing needed to be number one. It was noted the need for an educational component and that destroying something doesn't educate or change the history;
- (b) A community project which allowed for education and engagement as well as for healing, was identified as desperately needed;
- (c) It was noted the Black Lives Matter movement was not a trend (discussed on The Point on Channel 34) and the need to ensure Yarra Council commits to the long-term work and advocacy required to make a real difference;
- (d) A healing/cultural centre located within Yarra was needed;
- (e) The Committee was advised of 2 new pocket parks in Fitzroy;
- (f) Rocks (or tiles) could be painted, 1 rock for each death in custody;
- (g) It was discussed that the purpose of artworks needed to be decided in order to proceed - to raise awareness, amplify the message, to advocate for justice;
- (h) It was noted that the artwork needs to be in a prominent place and have longevity;
- (i) A great example is the artwork of Ky-ya Nicholson done for Black Lives Matter;
- (j) A projection festival dedicated to Black Lives Matter was proposed. The Committee was informed no Projection Festival was planned for 2020 due to Covid-19, but the Peel Street Projection Festival was going ahead using only Aboriginal and Torres Strait Islander artists. Artwork and/or text for the Aboriginal and Torres Strait Islander Black Lives Matter movement could be

added;

- (k) It was raised that although the MAYSAR building is heritage listed this could be challenged and a mural painted on the building in Gertrude St, Fitzroy;
- (l) The question of if Gertrude Street could be an option for text-based art, as in Washington was of interest was raised;
- (m) The idea of a tram painted with Black Lives Matter text was suggested. (The Committee was advised not in Yarra Council control, would need approval elsewhere and could be costly);
- (n) It was mentioned the Brunswick Street Master Plan should recognise sites of significance to the Aboriginal and Torres Strait Islander community and a more permanent artwork, such as a sculpture project could be proposed;
- (o) The need for something to be done straight away, as well as longer-term projects was expressed;
- (p) The group felt that projections was an art form that could be undertaken immediately. The Atherton Gardens site was noted as good site for this, but negotiations with DHHS would be required;
- (q) Wording – “Enough is Enough” ‘No More Aboriginal Deaths In Custody’ ‘It is Everyone’s Responsibility’ were considered by the group for the text;
- (r) Large scale text, in prominent locations;
- (s) A large banner on the Collingwood Town Hall, from the bridge across Hoddle St. and including something on Yarra’s web-page were mentioned;
- (t) Changing projection text every few days was raised;
- (u) It was expressed that while deaths in custody was a significant aspect of Australian Black Lives Matter, the abuse of Aboriginal people by police that results in these deaths is also relevant;
- (v) It was noted the Black Lives Matter movement in Australia is seen to be largely about Aboriginal deaths in custody and the group discussed what healing ‘looked like’. Not just about Aboriginal deaths in custody, but included deaths through suicide, shorter life expectancy, poorer health outcomes etc. – which are all related to systemic racism; and
- (w) It was expressed that the non-Aboriginal community must take some responsibility and working together was the best cultural awareness training.

## **COUNCIL RESOLUTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Jolly

1. That Council:

- (a) note this Delegates Report;
- (b) reiterates that the Australian Black Lives Matter movement of the Aboriginal and Torres Strait Islander community - Yarra Project, is to be led by the Yana Ngargna Advisory Group and the Yarra Black Lives Matter Working Group; and
- (c) commits to long-term work and education to address systematic racism and institutional inequalities within the organisation.

**CARRIED UNANIMOUSLY**

## 8.4 Councillor Stone - Inner North Youth Employment Taskforce

<b>Committee</b>	Inner North Youth Employment Taskforce
<b>Appointed Councillors</b>	Cr Amanda Stone
<b>Date of Council Meeting</b>	18 August 2020
<b>Date of Report</b>	16 August 2020
<b>Report Author</b>	Cr Amanda Stone

**DELEGATES REPORT**

The **Inner North Youth Employment Taskforce (INYET)** was established by the Inner North Local Learning and Employment Network in 2014 in response to rising youth unemployment in the inner north in the wake of the global financial crisis. It comprises a collection of representatives from the 3 member councils – Yarra, Moreland and Darebin – as well as from further education and training organisations, business and industry in these municipalities, and aims to increase the employability of young people and the preparedness of employers to take on young employees.

The **Jobs for Youth** campaign is a key initiative of INYET each year, a dedicated 3 month period of activities and opportunities for young people to increase their employability skills and connect them with employers and further education providers.

The Taskforce met recently for the second time in 2020, to receive updates on the impact of COVID-19 on youth employment and training in the inner north, and on the **RMIT Scenario Planning Project Post COVID 19** previously reported on.

With the June quarter recording the largest three-month fall in available jobs since records began, young people in Victoria are being impacted severely. For 15-24 year olds in the period from March to June: <sup>1</sup>

- 75,200 fewer young people were employed:
  - 13,600 were actively looking for work, while
  - 61,600 left the labour market.

In addition, more than 20 per cent of Australian workers aged 15-24 are underemployed, meaning they would like more hours of work.<sup>2</sup> These figures are reflected in the inner north.

On the other hand, the rate of unemployment among Australians (and Victorians) aged over 45 barely moved between March and May. Young people are being disproportionately impacted.

Young people typically work in jobs which cannot be performed from home, are more likely to be in casual work and ineligible for JobKeeper support, and are more likely to have lost traineeships or apprenticeships.

This year's school and further education leavers face entering the worst performing labour market in a generation. Many will have missed or experienced disruptions to a large portion of their final year of schooling, training and university.

<sup>1</sup> Labour Market Research and Analysis Branch presentation, August 2020

<sup>2</sup> Grattan Institute, The Recovery Book: What Australian governments should do now, 2020

The members of the Youth Employment Taskforce have adapted their work to support young people facing these challenging circumstances and have provide continuous services and support, some with very positive outcomes.

Planning for future impacts however is a focus of the Taskforce.

The RMIT Scenario Planning Project has commenced with a consultation phase with key education, community and industry partners and young people across the region. A final report and recommendations is due in March 2021.

Finally, the Taskforce has acknowledged the untimely death of Dr Chrisopher Baker, the Chair of Inner North Community Foundation, who has been a major supporter of the Jobs for Youth Campaign and other work of INLLEN for the past 10 years. Christopher was a member of the Inner North Youth Employment Taskforce and was an active participant in many of its programs: a volunteer mentor in the Vocational Mentoring Exchange pilot in 2018, a volunteer on Real Industry Job Interviews Program, and current Chair of the VME steering group working.

Christopher was also well known to Yarra Council through his involvement in the Inner North Community Foundation which was established in 2007 as an initiative of [IntoWork Australia](#), and is supported by the three local Councils; the Cities of [Moreland](#), [Yarra](#) and [Darebin](#). He will be a big loss to all those groups.

**Details of this and other background can be found in the attached documents.**

### **Background Information**

#### **Inner Northern Youth Employment Taskforce**

Young people will be impacted hard through a serious contraction of the labour market with a significantly higher unemployment rate as a consequence. Over the past five years the taskforce has initiated a range of local initiatives to address youth unemployment and underemployment in the region. We believe the taskforce may need to reboot and look at some new ways of working to tackle the post COVID-19 situation. The next INYET meeting is planned from 9.30-11.00am on Thursday 14<sup>th</sup> August 2020 via Zoom, <http://inllen.org.au/inyet/>

#### **New Initiative - COVID-19 Recovery Scenarios for young people in Melbourne's Inner North**

- **Project Officially Launched on Tuesday 28<sup>th</sup> July**

We are planning a strategic level response for Post COVID19. The April 2020 Grattan Institute Report "Shutdown: estimating the COVID -19 employment shock" estimates that the impact for young people aged between 20-30 will be an unemployment rate around 30%, and for those aged between 15-19, a rate in excess of 40%.

#### **Scenario Planning Project**

The project was officially launched and the consultation phases have begun. We are working closely with Prof Peter Kelly from RMIT University – UNEVOC center to implement this project. We are implementing a local consultation model to undertake a scenario planning project with our key education, community and industry partners and young people across the region.

#### **Project Phases**

- Stakeholder Survey – online – Now through until September

- 60 interviews with young people to be recorded on video (Aug/Sept)
- 35 stakeholder interviews to be recorded on video (Aug/Sept)
- Data Collection (Aug/Sept)
- 2 Scenario planning workshops (October & November)
- Final Report and preferred scenario developed (Feb/March 2020)

### **JFY Campaign 2020**

We believe in all of the gloom of lock down 2.0 we need to remain positive and look to the future and work our way through delivery of the JFY Campaign in 2020. As we come out of lockdown 2.0 we aim to deliver the campaign between October / December. We have our online platforms (jfy events and jobforyouth – jobs portal) which we will utilise promoting job opportunities and campaign events and training programs to support young people across the region. We also envisage community agencies will be start to run programs and activities which may be online to support young people who have been displaced from work or study as a result of the pandemic. The Scenario planning workshops will become a focal point for the campaign as a critical recovery initiative.

<http://inllen.org.au/initiative/jobs-for-youth-campaign/>

### **Youth Enterprise Hub**

In 2020 we are working on 9 pilot projects with secondary schools, TAFE, and special schools. In early March we successfully launched the co-created VCAL Curriculum for the New Economy Enterprise Course. The launch and workshop that followed were attended by 60 people. In consultation with our education partners the projects have been on hold so schools could deal with remote learning. The NDIS – ILC funded project with Croxton School, Concord School and Melbourne Polytechnic / Work Education Unit has been granted a project extension due to COVID19. We have been able to mobilise the project with Concord school and will be working to completed by the end of term one 2021.

<http://inllen.org.au/yeh/>

### **Vocational Mentoring Exchange (VME)**

VME is a new initiative in 2020 which is working to recruit and train vocational mentors to work with 4 schools and 60 young people undertaking VCAL. We have continued to recruit mentors, conduct interviews online and further develop the training package for our mentors and schools. The four Mentoring Matters school based pilot programs were originally to take place in term 2-3 but have been moved back to term 4. In the current situation face to face programs are not going to be possible so we are investigating online options to link mentors with students. On a more positive note the schools are still keen and enthusiastic and we have been able to recruit 33 vocational mentors. This is a great achievement and a reinforces our belief that local people are prepared to volunteer and help young people on their career and transition journey. If you are interested or if you know people who might interested in being a mentor do not hesitate to contact us.

<http://inllen.org.au/vme/>

### **Real Industry Job Interview Program (RIJI)**

The Darebin, Moreland and Yarra RIJI events planned to be held in July and August have been cancelled. With 21 schools engaged in the project with more than 800 students the logistics of the interviewing becomes a challenge. The intention is to run a series of small

online interview sessions with the participating schools in October.

<http://inllen.org.au/initiative/real-industry-interviews/>

### **Industry Speaker Bank**

The Industry Speaker Bank currently has 24 speakers available to talk to school groups about their career journey. We are currently work with our speaker to be able to go online and deliver short talks to students via online platforms such as Zoom and Teams. We will also be looking at recording a number of speakers to talk about what employers are looking for in a staff member. We are now starting to get some traction from schools with a number of events now locked in. There is scope for all schools to access the Bank during remote learning and no shortage of speakers who are prepared to Zoom into classrooms.

<http://inllen.org.au/initiatives/industry-speaker-bank>

### **Online Resources**

We have assembled a range of online video resources for schools to utilise in the Careers, VET, VCAL and employment preparation space. Over the coming weeks we will be engaging with schools to support their remote working arrangements.

<http://inllen.org.au/resources/>

### **SWL Program**

The SWL program is on currently on hold. Over the coming months it will be a difficult time for many of our host employers who are significantly impacted by the labour market shutdown. As the year unfolds we will be looking to support students who have mandatory requirements for work placement in their VET programs so they are able to complete the VET qualification.

<http://inllen.org.au/structured-workplace-learning/>

If you would like further information please do not hesitate to contact me.

David Kennedy

Chair – Inner Northern Youth Employment Taskforce

E: [dkennedy@inllen.org.au](mailto:dkennedy@inllen.org.au)

### **“What We Know Now” (August Update)**

In June 2020 there were 660,000 less jobs across Australia compared to March 2020. It represents the largest three-month fall since records began. The sectors losing most jobs are retail and hospitality, with fears that many jobs may not return. Across all industries there is a risk that the crisis will speed up automation and change skills needed in the job market – making the road to employment for Australians without these skills much harder.<sup>3</sup>

In Victoria, between March and June, the number of people employed fell by 4.9% (168,000 people). The recent move to Metropolitan Lockdown Stage 4 in August-September will result in more people ceasing employment.

**Young people in Victoria are being impacted severely. For 15-24 year olds in the period from March to June:**<sup>4</sup>

- 75,200 fewer young people were employed

<sup>3</sup> Equity Economics Briefing, 17 July 2020

<sup>4</sup> Labour Market Research and Analysis Branch presentation, August 2020



- 13,600 were actively looking for work, while
- 61,600 left the labour market.

On top of that, more than 20 per cent of Australian workers aged 15-24 are **underemployed**, meaning they would like more hours of work.<sup>5</sup>

On the other hand, the rate of unemployment among Australians (and Victorians) aged over 45 barely moved between March and May.<sup>6</sup>

### **What has happened to Victorian jobs during the pandemic between March and July?<sup>7</sup>**

(Change in payroll jobs 14 March and 11 July 2020)

Electricity, gas, water and waste services	+3%
Financial and insurance services	0%
Retail trade	-3%
Health care and social assistance	-4%
Manufacturing	-4%
Wholesale trade	-5%
Mining	-5%
Public administration and safety	-6%
Information media and telecommunications	-6%
Professional, scientific and technical services	-7%
Construction	-7%
Education and training	-8%
Transport, postal and warehousing	-9%
Administrative and support services	-10%
Other services	-10%
Rental, hiring and real estate services	-11%
Agriculture, forestry and fishing	-15%
<b>Arts and recreation services</b>	<b>-19%</b>
<b>Accommodation and food services</b>	<b>-24%</b>

Research reports continue to be released, warning that the “coronavirus recession” will scar the employment prospects of people in their 20s and 30s may become trapped in low-paying, low-skilled jobs for years.<sup>8</sup>

This year’s school and further education leavers face entering the worst performing labour market in a generation. Many will have missed or experienced disruptions to a large portion of their final year of schooling, training and university. This places them at heightened risk of long term ‘scarring’ from a period of unemployment at a critical time in their human capital development.<sup>9</sup>

A Productivity Commission Report found that work for young people would be scarcer, and taking on lower-quality jobs to get employment was likely to have long-term consequences for careers development.

### **Who can work from home?**

One reason for the much greater impact of unemployment on young people is that a much smaller proportion of this group can feasibly work from home.

<sup>5</sup> Grattan Institute, The Recovery Book: What Australian governments should do now, 2020

<sup>6</sup> Grattan Institute, The Recovery Book: What Australian governments should do now, 2020

<sup>7</sup> Labour Market Research and Analysis Branch presentation, August 2020

<sup>8</sup> ‘Long-term scarring’: Young people will suffer their entire working lives from COVID-19 Sydney Morning Herald, 26 July 2020

<sup>9</sup> Equity Economics Briefing, 17 July 2020

Estimates are that 39% of all jobs in Australia (41% full-time and 35% of part-time) can be done from home. Full-time jobs are more “tele-workable” than part-time jobs (by 41% to 35%). Moreover, 52% of women with full-time jobs can work from home, compared with 35% of men.<sup>10</sup>

Younger employees are less likely to have tele-workable jobs, particularly in part-time employment, and the 15-24 year old age group are the least likely of all. Young men in part-time jobs are the least likely to have a job they can do at home (32% for females and 20% for males). All other age groups range between 46% up to 50% for females; and between 32% up to 38% for males.

### **Young people from different cultural backgrounds**

During the first March-April 2020 lockdown period, the Centre for Multicultural Youth (CMY) interviewed 41 young people (aged 18-25) from 17 different cultural backgrounds. These findings provide a snapshot of the experiences of young people from refugee and migrant backgrounds at this time.<sup>11</sup>

They reported an employment impact of more than one in three (38%) of the young people who were working prior to COVID-19 having lost their jobs, and a further one in three (33%) having had their hours reduced.

- Young people experienced high rates of casual employment prior to COVID-19 (86% of those in some form of work were casually employed).
- Almost one in three of the young people interviewed (30%) withdrew from the labour market during March-April 2020.
- There is widespread reduction in young people’s household income, with two out of three young people (68%) reporting their family has been negatively impacted.
- Almost one in four young people (24%) reported increased caring responsibilities in the home during COVID-19.
- Lack of digital access impacting on some young people’s education and ability to look for work, with almost one in five (17%) reporting insufficient internet access, and one in ten (10%) without access to a laptop or computer.
- Young people expressed a lack of knowledge about labour market trends both now and in the future.
- Young people reported experiencing a knock to their confidence, motivation and employment aspirations.

### **JobKeeper and JobSeeker**

The Australian Government has responded to the projected increases in unemployment with a temporary increase of \$550 per fortnight to the JobSeeker Payment, relaxation of mutual obligation requirements, and the introduction of the JobKeeper Payment scheme.

#### **JobKeeper - Young people in insecure employment**

The JobKeeper Payment enabled employees with longer-term attachments to a specific business maintain a formal connection with their (eligible) employer.<sup>12</sup> As young people are more likely to be casuals working in insecure employment, many were not eligible.

Young people who are employed are less likely to be eligible for the JobKeeper payment as

<sup>10</sup> M. Ulubasoglu and Y. Kursat Onder, Teleworkability in Australia: The Conversation, 29 June 2020

<sup>11</sup> W. Kellock & M Ntalianis, Locked down and locked out? The impact of COVID-19 on employment for young people from refugee and migrant backgrounds in Victoria, Centre for Multicultural Youth (2020)

<sup>12</sup> Centre for Social Impact, *Covid 19 and Youth Unemployment*, CSI Response, May 2020

they are less likely to have contracted positions and more likely to have been employed by the same employer for less than 12 months. In August 2019, 41.8% of employed young people (aged 15-24) had the same employer for less than 12 months compared to 16.8% of those aged 25-64. A greater proportion of employed young people were employed on a casual basis (55.4%), compared to those aged 25-64 (32.2%).<sup>13</sup> People in lower paid, temporary contracts are more likely to be fired first during a crisis.

JobKeeper arrangements failed to protect many young people, but had a stronger effect for workers over the age of 25.

Young people who lost their jobs generally moved to JobSeeker payments (if they were eligible which those on temporary visas were not) but no longer fulfilled the two definitional requirements of unemployment as defined in international labour force frameworks, namely to be actively seeking work and available to start work. A large cohort of young people are now jobless and have no formal connection to an employer, but are not directly counted as unemployed.

### **Job Trainer Package**

A \$2 billion [JobTrainer Package](#) was announced on 16 July 2020 with the goal of supporting Australians to re-skill during the COVID-19 economic recovery. The package includes:

- \$1.5 billion to expand and extend the [Supporting Apprentices and Trainees](#) wage subsidy.
- \$500 million towards a \$1 billion [JobTrainer Fund](#) with the States and Territory Governments providing around 340,700 extra training places to school leavers and job seekers.

Covid-19 has impacted all sections of society, but none more so than the job market and education sector. However, the reforms are focused on supporting existing apprenticeships and trainees, and tied to the Government's skills and training reform agenda. There is a need and opportunity to ensure the support also reaches the most disadvantaged job seekers and school leavers impacted by Covid-19.<sup>14</sup>

### **Supporting Apprentices and Trainees Wage**

Apprentices and trainees in small and medium businesses of up to 200 employees on 1 July will be eligible for a training subsidy of up to \$7,000 per quarter. The wage subsidy covers 50 per cent of an apprentices or trainees wage for staff that were employed at the 1st of July, 2020.

The scheme aims to ensure 180,000 apprentices and trainees retain employment and also reconnect around 16,000 people that have had their apprenticeships suspended or cancelled.

The policy will not fund new apprentices or trainees. Rather, the package aims to stop any decline or loss of existing apprentices and trainees due to the COVID-19 economic downturn.

Data published by the National Centre for Vocational Education Research (NCVER), confirms that overall commencements of apprentices and trainees in the 12 months ending 31 December 2019 (pre-Covid-19) were already down 3.6% from the previous 12 months.<sup>15</sup> The JobTrainer Package does not address the pre-existing decline in apprenticeships and trainees, now exacerbated by Covid-19.

<sup>13</sup> Centre for Social Impact, *Covid 19 and Youth Unemployment*, CSI Response, May 2020

<sup>14</sup> Equity Economics Briefing, 17 July 2020

<sup>15</sup> <https://www.ncver.edu.au/news-and-events/media-releases/apprentices-and-trainees-in-training-down-1.6-in-dec-2019>

By only focusing on existing apprentices and trainees, the JobTrainer Packages fails to address the needs of disadvantaged JobSeekers and school leavers entering a depressed job market. Additional support is required to reach these particularly disadvantaged groups. Further, the Productivity Commission (PC) found *“little evidence that incentive payments to employers to train trade apprentices have been effective in increasing enrolments.”*<sup>16</sup>

### **School learning from Home**

COVID-19 lockdowns have forced schools to quickly switch to remote learning for parts of Terms 1 and 2 in 2020, and again in Term 3. Teachers were forced into new ways of working at short notice, with little technical training or time to develop remote lesson plans. Parents were also caught off guard, having to juggle work and other commitments with supporting children to learn at home.

Despite best efforts, most students are likely to have learnt less in remote schooling than in their regular class. A Grattan Institute 2020 COVID catch-up report showed that Australian teachers believe most students learnt less. In one survey of more than 2,500 teachers in NSW, only 35 per cent were confident their students were learning well in remote learning. In disadvantaged schools, only 15 per cent of teachers felt assured of student progress.<sup>17</sup>

The biggest losses will be among disadvantaged students. The achievement gap widens at triple the rate in remote schooling compared to regular class. Even if remote learning was working well, disadvantaged students are likely to have learnt at about 50 per cent of their regular rate, losing about a month of learning over a two-month lockdown.

The learning losses will be largest in Victoria which has had the longest periods of remote schooling and student-free days.

The COVID-19 learning losses are a concern but must be kept in perspective. The existing achievement gap is more than 10 times greater than the widening of the gap caused by COVID-19. Governments must tackle deeper long-term problems affecting our most vulnerable students.

The COVID-19 crisis caught schools and policy makers off guard. Australia can learn from high-performing countries who were well prepared for remote schooling. Singapore had a fully online curriculum ready to go, and Hong Kong had digital resources aligned to the curriculum that could be easily shared.

### **Mental Health**

Enforced lockdowns are raising serious concerns about people's capacity to comply with the new orders and the mental health impacts of such prolonged social isolation.<sup>18</sup>

The risks of being dispirited, chronically stressed and socially disconnected are real and substantial. The health risks are being driven by job losses, social disconnection and, for young people, the availability of support for ongoing education and training.

Given the return to lockdown in Melbourne, expect to see much greater levels of uncertainty about job prospects — particularly in those industries like hospitality, tourism and the arts that were already devastated — as well as a more prolonged period of social disconnection.

<sup>16</sup> <https://www.pc.gov.au/inquiries/current/skills-workforce-agreement/interim>

<sup>17</sup> Grattan Institute, The Recovery Book: What Australian governments should do now, 2020

<sup>18</sup> Ian Hickie (University of Sydney), The Conversation, 4 Aug 2020

Both the duration of the lockdown and the degree of uncertainty it generates really matter. Sydney University's Brain and Mind Centre has produced models that estimate the possible size of the impact of the pandemic on mental health and suicide rates, as well as identifying those who are most likely to be affected.

Prior to the recent spike in cases in Victoria, their most conservative estimates were a 14 per cent increase in overall suicide rates due to COVID-19 restrictions and the subsequent social dislocation and economic fall-out nationally.

What can be done to minimise the impact on people's mental health and well-being? Top of the list is job certainty. JobKeeper is critical because it ties people to real workplaces, social contacts and their social identity.

However, in its initial application it missed many casual workers, women and young people. Each of these groups were massively affected by COVID-19 restrictions and are now facing even tougher long-term employment prospects.

JobKeeper, in its current or appropriately modified form, now needs to be in place until at least 2022. And a place-based approach suggests policy-makers need to think about how it can best function in Melbourne and surrounding districts.

From a social connection perspective, an over-emphasis on top-down, law and order directives has limited and short-term utility for achieving the required behaviour changes. Often, it has the reverse effect to that intended.

What is really required are public health messages that engage people to be community-minded and active in their local settings to support and care for each other in really testing times.

This is most obvious for young people, who often do not easily connect with general practice doctors and typically present for care in a crisis situation.

Amid the chronic uncertainty of the COVID-19 pandemic — often confusing government responses and the long-term economic and social impacts of the crisis — it is time to respond to this looming mental health crisis cohesively, collectively and intelligently.<sup>19</sup>

## **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Jolly

1. That Council:

- (a) note this Delegate's Report; and
- (b) note the passing of Dr Christopher Baker, Chair of the Inner North Community Foundation and active member of the Inner North Youth Employment Taskforce, acknowledge his significant contribution to young people in the Inner North, and express our condolences to his family and colleagues at the Inner North Community Foundation.

**CARRIED UNANIMOUSLY**

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<sup>19</sup> Ian Hickie (University of Sydney), The Conversation, 4 Aug 2020

## 8.5 Councillor Searle - Bicycle Advisory Committee (BAC)

<b>Committee</b>	Bicycle Advisory Committee (BAC)
<b>Appointed Councillors</b>	Cr Jackie Fristacky, Cr James Searle
<b>Date of Council Meeting</b>	18 August 2020
<b>Date of Report</b>	BAC meeting held on 12 August 2020
<b>Report Author</b>	Cr James Searle & Cr Jackie Fristacky

**DELEGATES REPORT**

The Bicycle Advisory Committee (BAC) met on 12 August 2020 via Microsoft Teams. Councillors Jackie Fristacky, James Searle and Misha Coleman were in attendance along with approximately 20 community members.

**Background**

The committee discussed:

1. Priority bicycle crossings on the Capital City Trail
2. The Elizabeth St separated bicycle lane trial
3. The projects being implemented as part of the COVID-19 response
4. New pop-up bicycle lanes
5. The design of bike hoops

Other information tabled for the committee:

1. The 2020-2021 Council budget
2. The timeline for caretaker mode

**Discussion items**1. Priority bicycle crossings on the Capital City Trail

Officers presented research on priority bicycle crossings on the Capital City Trail and advised that an online survey had been developed for cyclists, to feed into the analysis of these crossings with a view to improving existing and future crossings.

2. Elizabeth St separated bicycle lane trial

Officers showed a series of photographs of the Elizabeth St separated bicycle lane and noted some videos from helmet mounted cameras had been posted online of cyclists using the lane. A number of Elizabeth St residents opposed to the trial attended the meeting and spoke to their opposition. A number of other community members spoke in favour of the project. Members were unclear about the process for reviewing the trial. Officers clarified that the 12 month trial would run until June 2021; officers may bring a report to Council with recommendations for alterations arising from road user feedback.

3. COVID-19 response projects

Officers reported on other transport-related projects Council endorsed in June, including creating a part protected intersection at Johnston St & Nicholson St Abbotsford, a centre median on Nicholson St Abbotsford between Mollison St & Langridge St, a contra-flow bicycle lane on Park St East, North Fitzroy and the conversion of the left turning lane onto Hoddle St from Gipps St, Abbotsford into a cycle only lane. Apart from Park St East, having been implemented in late July, these projects are waiting to be approved by the Department of Transport.

4. Pop-up bicycle lanes

Some feedback was received that the already implemented Park St East (North Fitzroy) bicycle lane was seen as unfinished. BAC was advised this had been raised at the last Council meeting (4 August) and officers had undertaken to follow up.

BAC was advised that proposals to continue the Park St pop-up west across Nicholson Street via a separated on-road bicycle lane on Park St West, North Carlton, were being examined by Council.

Cr Fristacky sought feedback from BAC members on other potential pop-up bike lanes.

5. The design of bike hoops

BAC members raised an issue of bicycle hoops installed by City of Yarra being different to those by City of Melbourne – MCC's had an extra bar below the top of the hoop which enabled bikes to be secured so as not to fall and also assisted parking children's bikes. Officers explained that changes would need to be made to Council's Urban Design manual but undertook to discuss the BAC feedback with relevant officers.

6. Last BAC meeting – thanks to members

BAC was advised that this meeting was its last as BAC was to be absorbed into an Active and Public Transport Advisory Committee. Membership and final scope of the new Committee would be determined by the next Council.

Councillors thanked all community members who had participated in BAC during this term of Council and community members thanked Councillors and officers.

**COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Fristacky

1. That Council:

- (a) note this Delegates Report;
- (b) refers the BAC feedback on unfinished elements of the Park Street East bicycle lane and on Yarra adopting bike parking hoops as per the standard Melbourne City Council design with an extra bar below the top of the hoop for better securing of bikes to officers; and
- (c) thank all community members who participated in BAC during this Council term.

**CARRIED UNANIMOUSLY**

*Councillor O'Brien left the meeting at 7.47pm*

*Councillor O'Brien returned at 7.49pm*

## 8.6 Councillor Searle - Municipal Association of Victoria (MAV)

<b>Committee</b>	Municipal Association of Victoria (MAV)
<b>Appointed Councillors</b>	Cr James Searle (Cr Jackie Fristacky substitute)
<b>Date of Council Meeting</b>	7 August 2020
<b>Date of Report</b>	18 August 2020
<b>Report Author</b>	Cr James Searle

**DELEGATES REPORT**

MAV has continued to hold regular Central Region MAV representative, CEO and Mayor catch ups in lieu of the other MAV meetings which would usually occur. At the catch up held 7 August 2020 Councillor Searle and the Mayor were in attendance along with councillors and officers from the cities of Melbourne, Port Phillip, Moreland and Darebin.

**Friday 17 April 2020 MAV Central Metropolitan Region Meeting**

MAV President Cr Coral Ross and board member Cr Rohan Leppert provided an update which included:

- (a) The (at the time) commitment from the State Government to hold the 2020 local government election on the scheduled date with no deferral;
- (b) The state-wide transition to a 4 bin waste system and the intention for the Department of the Environment to use each Council's submitted plans as the basis of determining how funding will be allocated; and
- (c) The MAV State Conference being deferred until May 2021 due to the MAV Act requiring attendance in person.

Councillors and officers in attendance reported on issues their municipalities were facing with commonalities including:

- (a) A lack of clarity around which workers were and weren't considered essential/permitted;
- (b) The strong take up so far of the various COVID support programs and grants;
- (c) Politically charged budget processes;
- (d) Support and gratitude for the meetings MAV has organised with DHHS and Mayors/CEO's;
- (e) A need for support for residents living in high density public housing;
- (f) Councillors not being considered permitted workers and the difficulties that causes when doing site visits for planning applications and other things. There were mixed views on this amongst councillors present; and
- (g) The mixed views amongst councillors on whether or not the election should be deferred.



## **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Coleman

1. That Council:
  - (a) note this Delegates Report; and
  - (b) continue to work with the MAV on seeking clarity from the State Government on the definitions of permitted workers and on the date of the next local government election.

**CARRIED UNANIMOUSLY**

## **9. General Business**

### **9.1 Follow-up Budget submissions: dog-off-leash facilities and outdoor basketball rings**

## **COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Stone

1. That in response to Budget 2020/21 community submissions, highlighting the need for more fenced dog off-leash areas, outdoor exercise and outdoor basketball rings:
  - (a) identifying locations for dog off-leash fenced areas for all Yarra suburbs be referred to officers reviewing Council's Animal Management Plan and Open Space Strategy;
  - (b) the demand for outdoor exercise equipment and basketball rings in public spaces be referred to officers reviewing Yarra's Open Space Strategy and to officers devising the Yarra Physical Activity Action Plan and Gender Equity Strategy; and
  - (c) advice be provided to Council identifying suitable pop-up locations for these outdoor activities, while observing COVID-19 lockdown and social distancing measures which are compromised by the limited number of such facilities across Yarra.

**CARRIED UNANIMOUSLY**

## **Background**

Submissions to the Yarra Budget 2020/21 by members of the Yarra community, raised the need for more dog-off-leash facilities and outdoor basketball rings.

- (a) Council's Municipal Health and Well-Being Plan and Council Plan 2020/21 promote actions to support and improve opportunities for physical activity by our communities;
- (b) There are high mental and social health benefits of physical activity;
- (c) The closure of gyms, sporting venues and recreation centres due to the COVID-19 restrictions and lockdown has vastly reduced options for organised sports and exercising;
- (d) These restrictions highlight the importance of daily physical activities such as walking and cycling, people walking dogs, and accessing outdoor exercise equipment and basketball rings within walking distance from homes;

- (e) COVID-19 and other major health risks are exacerbated in those who are unable to undertake moderate physical exercise;
- (f) Inadequate physical activity is itself and accepted risk factor for many illnesses: diabetes, heart, vascular and respiratory conditions, and a factor contributing to excessive weight and obesity, being a further key health risk, for COVID-19;
- (g) COVID-19 restrictions and the lockdown have particularly impacted young people in limiting job availability, job training and the cost of education opportunities, as well as access to organised sports, adversely impacting mental health;
- (h) A fundamental role of Council is to assist with outdoor space to support people exercising themselves and their dogs in their local area. The COVID-19 lockdown and social distancing measures are compromised by the limited number of dog-off lead areas and outdoor gym/basketball facilities across Yarra;
- (i) Council has been examining opportunities for pop-up measures to support walking and cycling; and
- (j) Council can assist further by identifying suitable locations for dog-off leash areas, outdoor gym equipment and basketball rings across Yarra suburbs, including pop-up measures to meet the added demand for these outdoor activities.

In light of the above matters, advice is sought on how provision of these facilities can be expedited in local areas to support our community, especially for the benefit of the elderly, young people and families.

## 10. Questions without notice

This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. A recording of the Council Meeting (including Questions Without Notice) is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

### 10.1 Councillor Stone – Wellington Street Bike Lanes

Question:

We've had an email this week from a cyclist using the Wellington Street separated bike lanes, commenting on the wind tunnel created by the recently completed tall buildings along Wellington Street especially at the corner of Wellington and Langridge Streets. Is it possible to include the impact on cyclists when we require wind assessments for new developments?

Can these questions also be considered in the forthcoming applications for developments along Wellington Street as there are a number of applications for very tall buildings?

Response:

*The Director Planning and Place Making took the question on notice.*

10.2 Councillor O'Brien – Planning Applications

Question:

Would it be possible for heritage (or all) referrals relating to planning applications be published on the Application page of the Yarra website, as soon as they are received rather than only in an IDAC Agenda, released close to the meeting date?

Response:

*The Director Planning and Place Making advised:*

*Regrettably at the moment the answer is no, not with the capacity of the office as it would need to be done manually. We are working towards trying to get an electronic planning process in place but that could take up to twelve months or there about, hopefully we can do it quicker than that but it is a significant piece of work. Once things could be automated we would certainly be happy to do whatever we can to assist the community, but a manual approach regrettably could be a difficult matter for the office with the current workload.*

10.3 Councillor Fristacky – LATM 1 Study for Princes Hill 2 February 2016 decision

Question:

On 2 February 2016, Council as part of its endorsement of a recommended Local Area Traffic Management Plan (LATM 1) for Princes Hill, determined that Council:

*“will consult further with the community on proposals adjacent to Princes Hill Secondary College on Arnold Street (Shared Zone) .... once the college has completed its masterplan” with \$50,000 agreed to be allocated to planning for the proposed Shared Zone on Arnold Street alongside the Secondary College; and*

*“that 12 months after completion of Stage 1 works, the results (including impact on through-traffic in Princes Hill) will be evaluated and advised to Councillors, posted on Council’s web site and a further meeting will be held with the Traffic Study Group”.*

Can advice be provided to Councillors on action taken in furthering both of the above matters?

Response:

*The Director City Works took the question on notice.*

10.4 Councillor Fristacky – Pop-up measures on Safe Routes to School: 3 June 2020 decision

Question:

On 3 June 2020, Council resolved to refer *“to officers for urgent attention to expedite implementation of pop-up measures to ... support maintenance of social distancing at schools”.*

Can advice be provided to Councillors on action taken in furthering the above for Yarra routes to schools and what outcomes are anticipated for access to specific schools in Yarra?

Response:

*The Director Planning and Place Making took the question on notice.*

10.5 Councillor Fristacky – Meeting with DOT on speed reduction to 30k/h

Question:

On 7 July 2020, Council determined that “*representations on extending 30km/h, reflecting Council resolution of 17 December 2019 that Council “consider further extension of 30km/h maximum speed including as part of LAPM reviews, subject to DOT approval”, be progressed by seeking to meet with DOT to discuss considerations for applying further 30km/h speed limit areas, with such meetings to include the Mayor and interested Councillors*”

Can advice be provided to Councillors on action taken in furthering the above meeting and the timetable for such meeting with DOT noting the need to progress well before operation of the caretaker period from 23 October 2020?

Response:

*The Director City Works and Assets advised;*

*There has certainly been officer advocacy in relation to that matter and it has been ongoing advocacy. Mr Phillips and I meet with senior department representatives on a fortnightly basis at the moment to discuss COVID transport matters and a range of other things relevant to Yarra. We have been seeking a response in relation for the desire for Council to extend the 30km/h zones and have been advised that we should have response from DOT on that soon. We haven't got a date on that but we are meeting with them again tomorrow and again on Thursday so we will ask about that. As to a meeting with Councillor involvement, we haven't yet been able to arrange that and that is partly because of the efforts that have been underway both from Council perspective and DOT to try and get some COVID responses in place.*

10.6 Councillor Jolly – Gleadell Street Market re: Selling Flowers

Question:

There have been some queries raised as to why at the Gleadell Street Market on Saturday morning, flowers are not allowed to be sold while you can still buy flowers at Coles and Woolworths in Melbourne.

Response:

*The Director Corporate Business and Finance Advised;*

*There was some social media activity on Saturday morning about that topic and I do note that, that social media post and everything associated with it has been subsequently taken down. The simple answer is the DHHS has advised that markets are only allowed to operate for food only at moment with strict enforcement and density guidelines. Florists are specifically excluded from being open and any florist in metropolitan Melbourne operates on click and collect basis only. It is true that supermarkets can sell flowers, but supermarkets can also sell books, CD's and DVD's and socks etc. We are very clear in our advice that the DHHS has advised that markets can only sell food. We are putting all our efforts into Gleadell Street to ensure that appropriate social distancing is being met; with eight staff and security guards working there for the past two and half months just to make sure we counting people coming in and out to maintain the right numbers in the market.*

10.7 Councillor Coleman – Online Classes re Leisure Centres

Question:

My question relates to whether Yarra Leisure has any plans to move any of our fitness classes to online classes, noting that Darebin Council today announced that most of their classes are now going to be made available in an online capacity.

Response:

*The Director City Works and Assets advised;*

*I have seen the work that Darebin are doing which is good work and part of the broader YMCA approach that they are rolling out to many of the YMCA managed facilities. Yarra has moved to that approach and have launched the Yarra Leisure Wellness Locker in March this year. We have about sixty online programs and a whole suite of activities available so there is a significant amount of information and programs available online through the Yarra Leisure website that is all free to community members.*

*Councillor Jolly left the meeting at 8.12pm*

*The Mayor adjourned the meeting at 8.14pm*

*Councillor Jolly returned at 8.19pm*

*The meeting resumed at 8.20pm*

## 11.1 Trenerry Crescent – Consultation Results

Reference: D20/131064

Authoriser: Director Planning and Place Making

### RECOMMENDATION

**Start time: 8.20pm**

1. That Council note:
  - (a) the previous Council resolutions dated 5 May and 2 June 2020 which sought an officer report on possible changes to provide improved physical separations during COVID times in walking spaces, and also for improved cycling routes to assist in community access and movement in the municipality;
  - (b) the 23 June 2020 resolution requiring a consultation process regarding a possible full, or part closure of Trenerry Crescent as a 3 month trial, for the purposes of safer cycling and improved pedestrian space under the Eastern Freeway;
  - (c) the survey results and feedback received in relation to the 3 options presented to the community;
  - (d) the vast community views received through the *Your Say Yarra* Website and the correspondence received that is outlined in the attachments; and
  - (e) that approval from the Minister for Roads would be required for any full or partial closure of Trenerry Crescent even as a trial.
2. That Council now determine a position in respect to the options regarding Trenerry Crescent which are:
  - (a) Option 1: no closure of Trenerry Crescent under the Eastern Freeway; or
  - (b) Option 2: a 3 month full closure trial to enable increased space for cyclists and pedestrians in this location, or
  - (c) Option 3: a 3 month partial closure trial with the northern lane remaining open to vehicles and the southern lane being closed to vehicles between the Merri Creek trail entrance to the Dight Falls carpark entrance, to enable some further space for safer cycling and pedestrian space.
3. That Council direct officers accordingly.
4. That officers advise the community, via direct contact where contact details are provided and via Councils website and social media, of its decision.

*Councillor Chen Yi Mei returned to the meeting at 8.22pm*

### Public Submissions

*The following people made a submission to Council on the matter:*

*Michael Naismith;*

*Adam Promnitz;*

*Ignacio Inchausti;*

*Michael Hoey;*

*Kristen Walker;*

*John Cafferkey;*

*Natalie Marchio;*

*Heath Ryan;*

Matthew Watson;  
Mark Lewthwaite;  
Ria Carmichael;  
Libby Maynard;  
Kelly MacLean;  
Mark Johnston; and  
Tamla Bain.

Councillor Jolly left the meeting at 8.30pm  
Councillor Jolly returned at 8.32pm

Councillor O'Brien left the meeting at 8.30pm  
Councillor O'Brien returned at 8.33pm

Councillor Jolly left the meeting at 8.38pm  
Councillor Jolly returned at 8.58pm

Councillor O'Brien left the meeting at 8.45pm  
Councillor O'Brien returned at 8.54pm

## MOTION

**Moved:** Councillor Coleman

**Seconded:** Councillor Jolly

1. That Council:
  - (a) notes its resolution of 23 June 2020, to undertake public consultation on a proposal to fully, or partially, close Trenerry Crescent (to vehicle movements) on a 3 month trial basis, to improve active transport movement;
  - (b) notes the detailed officer's report referencing the proposal and the several suggested possible treatment options;
  - (c) having regard to the high level of community opposition to the proposal in any format, resolve to not proceed with the proposal; and
  - (d) direct officers to advise the community, via direct contact where contact details are provided and via Councils website and social media, of its decision.

## AMENDMENT

**Moved:** Councillor Stone

2. That Council write to the Department of Transport advocating strongly for an upgrade or alternative to the overpass at the Eastern Freeway between Trenerry Crescent and Clifton Hill to accommodate cyclists wishing to traverse the freeway.
3. That this upgrade or alternative must ensure that the upgraded or alternate overpass is DDA compliant and meets the requirements for safe use by cyclists as well as pedestrians.

*The amendment was accepted by the mover and seconder and incorporated in the motion.*

## COUNCIL RESOLUTION

**Moved:** Councillor Coleman

**Seconded:** Councillor Jolly

1. That Council:
  - (a) notes its resolution of 23 June 2020, to undertake public consultation on a proposal to fully, or partially, close Trenerry Crescent (to vehicle movements) on a 3 month trial basis, to improve active transport movement;
  - (b) notes the detailed officer's report referencing the proposal and the several suggested possible treatment options;
  - (c) having regard to the high level of community opposition to the proposal in any format, resolve to not proceed with the proposal; and
  - (d) direct officers to advise the community, via direct contact where contact details are provided and via Councils website and social media, of its decision.
2. That Council write to the Department of Transport advocating strongly for an upgrade or alternative to the overpass at the Eastern Freeway between Trenerry Crescent and Clifton Hill to accommodate cyclists wishing to traverse the freeway.
3. That this upgrade or alternative must ensure that the upgraded or alternate overpass is DDA compliant and meets the requirements for safe use by cyclists as well as pedestrians.

**CARRIED UNANIMOUSLY**



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## 11.2 Yarra Homelessness Strategy

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Reference: D20/120798

Authoriser: Manager, Social Strategy and Community Development

*Councillor Jolly left the meeting at 9.21pm*

### RECOMMENDATION

**Start time: 9.22pm**

1. That Council:
  - (a) notes this report, and
  - (b) adopts Yarra's first Homelessness Strategy.

*Councillor Jolly returned at 9.28pm*

*Councillor O'Brien left the meeting at 9.27pm*

*Councillor O'Brien returned at 9.30pm*

*Councillor Nguyen returned to the meeting at 9.38pm*

### COUNCIL RESOLUTION

**Moved:** Councillor Chen Yi Mei

**Seconded:** Councillor Stone

1. That Council:
  - (a) notes this report; and
  - (b) adopts Yarra's new overarching Homelessness Strategy, subject to adding the following under the heading Strategic Direction 3, page 49, regarding prevention:

**Strategic Direction 3.3:**

Recognise the importance of employment in preventing homelessness.

We will do this by:

- Advocating for employment opportunities to prevent vulnerability to homelessness.
- Delivering employment support programs through Council's community services.
- Partnering with local service providers to promote employment support programs and opportunities where possible.

**CARRIED UNANIMOUSLY**

### 11.3 Yarra Black Lives Matters Movement - Public Art Civic Signage Opportunities

Reference: D20/124084

Authoriser: Group Manager People and Culture

#### RECOMMENDATION

**Start time: 9.42pm**

1. That Council:
  - (a) endorses the commencement of the Poster Project to promote the local voices of the community in the context of a global movement;
  - (b) authorises officers to find new avenues and partnerships to promote and expand the reach of the Poster Project as an ongoing campaign; and
  - (c) notes further reports are scheduled to be presented to Council arising from the resolution on the Black Lives Matter, stop deaths in custody issue.

#### Public Submission

*Kate Drake addressed Council on the matter.*

#### COUNCIL RESOLUTION

**Moved:** Councillor Bosler

**Seconded:** Councillor O'Brien

1. That Council:
  - (a) endorses the commencement of the Poster Project to promote the local voices of the community in the context of the Black Lives Matter movement;
  - (b) authorises officers to find new avenues and partnerships to promote and expand the reach of the Poster Project as an ongoing campaign;
  - (c) acknowledges the project is being led by Yana Ngargna Advisory Group and Yarra Black Lives Matter Working Group, and thanks them for their work here;
  - (d) request relevant officers to work with Aboriginal and Torres Strait Islander artists as well as local painters, printing studios and businesses for the delivery of the Poster Project; and
  - (e) notes further reports are scheduled to be presented to Council arising from the resolution on the Black Lives Matter movement of the Yarra Aboriginal Torres Strait Islander community.

**CARRIED UNANIMOUSLY**

## 11.4 Supplementary Report for PLN19/0570 - 81-89 Rupert Street Collingwood

Reference: D20/130979

Authoriser: Manager Statutory Planning

### RECOMMENDATION

Start time: 9.54pm

1. That the Council resolves to advise the Minister for Planning that it supports the Proposed Planning Scheme Amendment C283yara for part demolition and construction of a thirteen-storey, mixed use (containing a residential hotel, offices, retail premises, cinema, restaurants, restricted recreation facilities, artist studios, and art gallery) building (inclusive of mezzanine levels) and a reduction in the car parking requirement at 81 – 89 Rupert Street, Collingwood generally in accordance with the plans noted previously as the “decision plans” and subject to the following modifications to clause 6.0 (changes shown in **bold** and underlined, and where wording associated with the minutes have changed, **bold**, underlined and coloured red):

Clause 6.0

### Amended Plans

- 6.1 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the plans prepared by 6a Architects, dated 22 May 2020, but modified as follows:

#### General

- (a) Correction of north point on floor plans;
- (b) Plans correctly to label each floor level;
- (c) All retail premises to be shown as ‘shop’ on the floor plans;

#### Design

- (d) **Deletion of the tenth and eleventh levels and consequent reduction in overall building height;**
- (e) **The setback of the new portion of building (i.e. the northern tower) behind the heritage façade of the former Davis’ Pickle and Sauce Factory building, increased to 5m from the eastern (front) boundary and the existing roof behind the parapet, of equal depth, maintained with corresponding deletion or redesign of the terrace area;**
- (f) Retention of existing facade windows (with the exception of that to the immediate north of the central door) of former *Davis’ Pickle and Sauce Factory* building;

#### Bicycle and Car parking

- (g) The ‘stair’ between the ground floor and mezzanine level bike parking facility deleted and replaced with a ramp or lift compliant with AS2890.3 requirements. It is acceptable if the **total number of bike parking spaces is reduced to achieve this;**
- (h) A minimum of 28 visitor spaces in a location easily accessible to visitors of the site with at least half **(50% of the total)** the visitor spaces horizontal at grade space (e.g. bike hoop) **provided on the ground floor, with at least four cargo bicycle spaces;**
- (i) A minimum of 61 employee bike parking spaces in a secure location only accessible to employees of the site or residential hotel guests;

**(j) Provision of e-bike charging locations for at least 5% of the total of bicycle spaces;**

- (k)** The headroom clearance of the ramped access-way dimensioned;
- (l)** Plan notation from an accredited access consultant confirming that the accessible parking spaces are satisfactory from an accessibility perspective and satisfy the intent of the DDA;
- (m)** All column depths, setbacks and locations clearly annotated and dimensioned and positioned to ensure that they do not encroach into the parking space clearance envelopes;
- (n)** All ramp grade and transition grade lengths dimensioned;
- (o)** The deletion of any directional arrows and hold lines;
- (p)** The surface material of the setback area adjacent to the laneway different to that of the laneway to clearly demarcate the difference in surface treatment;

**Reports**

- (q)** Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 3) (where relevant to show on plans);
- (r)** Any requirement of the endorsed Landscape Plan (condition 7) (where relevant to show on plans);
- (s)** Any requirement of the endorsed Sustainable Management Plan (condition 9) (where relevant to show on plans);
- (t)** Any requirement of the endorsed Green Travel Plan (condition 13) (where relevant to show on plans);
- (u)** Any requirement of the endorsed Waste Management Plan (condition 15) (where relevant to show on plans);
- (v)** Any requirement of the endorsed Acoustic Report (condition 18) (where relevant to show on plans including notations of key commitments); and
- (w)** Any requirement of the endorsed Wind Assessment Report (condition 24) (where relevant to show on plans).

6.2. Before demolition commences, a detailed and annotated photographic record of the former *Davis' Pickle and Sauce Factory* building context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:

- (a) Include the interior and each external elevation of the building;
- (b) Be submitted in black and white format; and
- (c) Be taken by a suitably qualified heritage photographer.

**Façade Strategy and Materials and Finishes Plan**

6.3 In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

- (a) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors;

- (b) Elevations at a scale of 1:20 or 1:50 detailing all reconstruction works of the northern and southern boundary returns of the former Davis Pickle sauce Factory including notations to say use of recycled bricks and details of all façade works including all restoration works and 'make good works' associated with works to the entries to be prepared by suitably qualified heritage architect;
  - (c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (d) Information about how the heritage façade **and portion of roof as required at Clause 6.1(e)** will be maintained, including any vegetation and informal seating; and
  - (e) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and graffiti proofing of walls, **including doors, perforations and upper levels (where necessary).**
- 6.4 The use and development as shown on the incorporated plans must not be altered without the prior written consent of the Responsible Authority.
- 6.5 Before the endorsement of plans, written confirmation must be provided from the relevant water authority that the sewer vent in the laneway can either be retained in the existing location or is no longer required and can be removed. If neither of these options can occur, the sewer vent is to be relocated to the satisfaction of the relevant water authority.
- 6.6 As part of the ongoing progress and development of the site, 6a Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee design and construction of the development; and
  - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

## **Landscape Plan**

- 6.7 Concurrent with the plans requested at clause 6.1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must show:
- (a) Reference to design changes as required by clause 6.1 and include additional landscaping as required by the amended Wind Assessment Report at clause 6.25;
  - (b) The landscaping on any of the upper levels and how this is going to be maintained, including information on waterproofing, growing media, irrigation and mulch;
  - (c) Details of how any mulch specified on the higher levels will not be at risk of blowing away during high wind events must be provided;
  - (d) Details of custom furniture proposed, ensuring safety and compliance standards are met; and
  - (e) All plants proposed confirmed to not be listed within *DELWP Advisory List of Environmental Weeds in Victoria*.
- 6.8 Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) Implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) Not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and

- (c) Replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

- 6.9 Concurrent with the plans requested by clause 6.1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this incorporated plans for this document.

The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Atelier Ten dated June 2019 but modified to make reference to design changes as required by clause 6.1 and include the following details:

- (a) Clarify provision of operable windows throughout office areas to reduce reliance on mechanical systems;
- (b) The report and the proposed energy modelling to be consistent in its detailing (i.e. there are inconsistencies between the model input of VLT (0.55) for Glazing and the stated minimum (0.4);
- (c) The type of glazing with regard to energy modelling and clarification of daylight modelling;
- (d) Preliminary modelling or glazing calculations to support evidence for energy savings (i.e. note that a target over the 2016 reference case is required);
- (e) Clarification regarding the consistency with zero carbon goal (i.e. this may not be feasible);
- (f) Specify proportions as % of total, or GHG reduced and remove vague language from materials section;
- (g) Provision of an EMP;
- (h) Update architectural drawings to match details provided in any updated Waste Management Plan; and
- (i) **The rainwater tank connected to the toilets for flushing whilst maintaining a 100% STORM score.**

- 6.10 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 6.11 Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this document, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented.

### **Car Park Management Plan**

- 6.12 Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must address, but not be limited to, the following:

- (a) The number and location of car parking spaces allocated to each tenancy;
- (b) Any tandem parking spaces allocated to a single tenancy;

- (c) The number and location of car spaces for shared use, including time of shared use;
- (d) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
- (e) Details of way-finding, cleaning and security of end of trip bicycle facilities;
- (f) Policing arrangements and formal agreements;
- (g) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
- (h) Details regarding the management of loading and unloading of goods and materials.

6.13 The requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

6.14 Concurrent with the plans requested at clause 6.1, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document.

The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid Traffic Engineering dated 3 July 2019 but modified to make reference to the plans as endorsed at clause 6.1.

6.15 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

6.16 Concurrent with the plans required by clause 6.1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. **The Waste Management Plan must include details of all waste procedures and on the provision of separate bins for glass, recycling and organics.**

6.17 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6.18 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Acoustic Report**

6.19 Concurrent with plans required by clause 6.1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the incorporated plans for this document. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Wood and Grieve Engineers and dated 20 November 2019, but modified to include / make reference to:

- (a) The plans requested at Clause 6.1; and
- (b) Confirmation and evidence to show consideration and all amelioration measures required to address the location of any music venues including 'Rupert on Rupert'.

- 6.20 Within 6 months of the commencement of the residential hotel use, a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at clause 6.19 have been implemented. The supplementary report must be submitted to and approved by the Responsible Authority. When approved, the supplementary report will be endorsed and will form part of the incorporated plans for this document.
- 6.21 All uses must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 6.22 All uses must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
- 6.23 The provision of music on the land must be at a background noise level at all times.
- 6.24 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Wind Assessment Report**

- 6.25 Concurrent with the plans requested at clause 6.1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended report will be endorsed and will form part of the incorporated plans for this document. The amended Wind Assessment Report must be generally in accordance with the findings of the report titled '*Environmental Wind Speed Measurements on a Wind Tunnel Model of the 81-89 Rupert Street Development, Collingwood*' prepared and authored by MEL Consultants and dated 22 November 2019 (Revision No. 2) but modified to include (or show):
  - (a) Assessment of the development as amended pursuant to clause 6.1 with:
    - (i) Further assessment of the open air terraces on Levels 01 and 03;
    - (ii) Planting of established trees on Level 03 with a maintenance regime that ensures their survival; and
    - (ii) Application of stricter wind comfort criteria of '*stationary short exposure*' to the lift lobbies and tenancy entrance areas.
- 6.26 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Community Benefit Assessment Report**

- 6.27 The Community Benefit Assessment Report prepared by SGS Economics and Planning dated 19 November 2019, must be updated to the satisfaction of the Responsible Authority to reflect the plans as required by clause 6.1 and their requirements. The updated report must also provide details in relation to the methods applied to ensure ongoing public access to all uses within the hours of operation detailed within this document (including the roof top garden). The updated report must be submitted to and approved by the Responsible Authority. When approved, the updated report will be endorsed and will then form part of the incorporated plans for this document.

Within 12 months of the uses commencing, confirmation from the developer must be submitted to the Responsible Authority that all community benefit measures outlined in the endorsed Community Benefit Assessment are operational.



## **Structural Report Requirement**

**6.28 Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit the incorporated plans for this document. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention.**

**6.29 The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.**

## **Residential Hotel Use / Management Plan**

**6.30** Concurrent with the plans required by clause 6.1, a Residential Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the incorporated plans for this document. The plan must detail the following:

- (a) Procedures, and standards for guests to minimise amenity and parking problems in the Neighbourhood;
- (b) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
- (c) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns; and
- (d) An outline of all house rules intended to be used to manage residents and guests including:
  - (i) Guest behaviour;
  - (ii) Noise; and
  - (iii) Methods of eviction if house rules are broken;
- (e) Details of eviction process in the event house rules are broken;
- (f) Standards for property maintenance, health and cleanliness; and
- (g) Security against thefts and break-ins, including security of guests' belongings.

**6.31** The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.

## **Retail (Shops)**

**6.32** Except with the prior written consent of the Responsible Authority, the retail (shops) use authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 7.00am – 10pm.

## **Cinema**

**6.33** Except with the prior written consent of the Responsible Authority, the cinema authorised by this document may only operate between the following hours with up to 46 patrons:

- (a) Monday to Sunday: 10.00am – 12 midnight.

## **Restaurant / food and drink premises / Restaurant Management Plan**

**6.34** Except with the prior written consent of the Responsible Authority, the restaurant(s) / food and drink premises authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 7.00am – 12 midnight.

**6.35** Except with the prior written consent of the Responsible Authority, the restaurant use authorised by this document may only operate with the following patron numbers:

- (a) Unit B (Second floor): 350 patrons; and
- (b) Unit B (Mezzanine): 110 patrons.

**6.36** Concurrent with the plans required by Condition 1 by clause 6.1, a Restaurant Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit the incorporated plans for this document. The plan must detail the following:

- (a) Procedures, and standards for managing patrons and any parking issues to minimise amenity impacts to the surrounding neighbourhood; and
- (b) Ongoing measures to be taken to ensure patrons do not cause any unreasonable amenity impact to persons beyond the land.

**6.37** The restaurant use must be managed in accordance with the endorsed Restaurant Management Plan.

### Restricted Recreation

**6.38** Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 5.00am – 10pm.

**6.39** Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate with the following patron numbers:

- (a) Unit C - Wellness Suite: 150 Patrons; and
- (b) Gymnasium: 150 patrons.

### **Developer contribution**

**6.40** Prior to the commencement of the development, this developer of the site must pay the Responsible Authority a \$5,000 **\$10,000** contribution for the installation of a contra-flow bicycle lane with supporting signage both on-road on Rupert Street between Gipps Street and Langridge Street and at vehicle entry points – or similar bicycle access improvements to the subject site as agreed in writing to the satisfaction of the Responsible Authority.

**6.41** The Responsible Authority must use the funds on the agreed project within 12 months of the practical completion of the development. After 12 months of the expiry of this document, the document holder may request a refund for the full amount if the agreed project has not been commenced or is not proposed to proceed.

### **Road Infrastructure**

**6.42** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

- (a) At the permit holder's cost; and
- (b) To the satisfaction of the Responsible Authority.

**6.43** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be constructed:

- (a) At the permit holder's cost; and
- (b) To the satisfaction of the Responsible Authority.

**6.44** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:

- (a) At the permit holder's cost; and
- (b) To the satisfaction of the Responsible Authority.

**6.45** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:

- (a) At the permit holder's cost; and
- (b) To the satisfaction of the Responsible Authority.

### **Car parking**

**6.46** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

- (a) Constructed and available for use in accordance with the endorsed plans;
- (b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- (c) Treated with an all-weather seal or some other durable surface; and
- (d) Line-marked or provided with some adequate means of showing the car parking spaces,

to the satisfaction of the Responsible Authority.

**6.47** Except with the prior written consent of the Responsible Authority, no less than 40 car spaces must be provided on the site at all times.

### **Loading on Site**

**6.48** The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

### **Lighting**

**6.49** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

- (a) Located;
- (b) Directed;
- (c) Shielded; and

- (d) Of limited intensity
- to the satisfaction of the Responsible Authority.

### **General**

- 6.50** Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 6.51** Speakers external to the building (inclusive of the balcony / terraces and rooftop areas) must not be erected or used.
- 6.52** As part of the ongoing progress and development of the site, 6a Architects (being the architect who designed the building), or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee design and construction of the development; and
  - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
- 6.53** Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
- 6.54** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 6.55** All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 6.56** All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 6.57** Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

### **Construction Management**

- 6.58** Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must provide for:
- (a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) Works necessary to protect road and other infrastructure;
  - (c) Remediation of any damage to road and other infrastructure;
  - (d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) Facilities for vehicle washing, which must be located on the land;
  - (f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) Site security;
  - (h) Management of any environmental hazards including, but not limited to,:

- (i) Contaminated soil;
  - (ii) Materials and waste;
  - (iii) Dust;
  - (iv) Stormwater contamination from run-off and wash-waters;
  - (v) Sediment from the land on roads;
  - (vi) Washing of concrete trucks and other vehicles and machinery; and
  - (vii) Spillage from refuelling cranes and other vehicles and machinery;
- (i) The construction program;
  - (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) Parking facilities for construction workers;
  - (l) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
  - (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

In preparing the Noise and Vibration Management Plan, consideration must be given to:

- (i) Using lower noise work practice and equipment;
  - (ii) The suitability of the land for the use of an electric crane;
  - (iii) Silencing all mechanical plant by the best practical means using current technology;
  - (iv) Fitting pneumatic tools with an effective silencer;
  - (v) other relevant considerations; and
- (q) Any site-specific requirements.

*During the construction:*

- (r) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (t) Vehicle borne material must not accumulate on the roads abutting the land;
- (u) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

## Construction Times

**6.59** Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

## 7.0 EXPIRY OF INCORPORATED DOCUMENT

7.1 Notwithstanding other provisions of this document, this Incorporated Document will expire if one of the following circumstances applies:

- (a) The development is not started within one year of the date of the gazettal of Amendment C283yara; and
- (b) If a new development proposal is applied for.

## End of Document

## COUNCIL RESOLUTION

**Moved:** Councillor Bosler

**Seconded:** Councillor Stone

1. That the Council resolves to advise the Minister for Planning that it supports the Proposed Planning Scheme Amendment C283yara for part demolition and construction of a thirteen-storey, mixed use (containing a residential hotel, offices, retail premises, cinema, restaurants, restricted recreation facilities, artist studios, and art gallery) building (inclusive of mezzanine levels) and a reduction in the car parking requirement at 81 – 89 Rupert Street, Collingwood generally in accordance with the plans noted previously as the “decision plans” and subject to the following modifications to clause 6.0 (changes shown in **bold** and underlined, and where wording associated with the minutes have changed, **bold**, underlined and coloured red):

Clause 6.0

### Amended Plans

- 6.1 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the plans prepared by 6a Architects, dated 22 May 2020, but modified as follows:

#### General

- (a)** Correction of north point on floor plans;
- (b)** Plans correctly to label each floor level;
- (c)** All retail premises to be shown as ‘shop’ on the floor plans;

#### Design

- (d) Deletion of the tenth and eleventh levels and consequent reduction in overall building height;**

- (e) The setback of the new portion of building (i.e. the northern tower) behind the heritage façade of the former Davis' Pickle and Sauce Factory building, increased to 5m from the eastern (front) boundary and the existing roof behind the parapet, of equal depth, maintained with corresponding deletion or redesign of the terrace area;**
- (f)** Retention of existing facade windows (with the exception of that to the immediate north of the central door) of former *Davis' Pickle and Sauce Factory* building;
- Bicycle and Car parking**
- (g)** The 'stair' between the ground floor and mezzanine level bike parking facility deleted and replaced with a ramp or lift compliant with AS2890.3 requirements. It is acceptable if the **total number of bike parking spaces is reduced to achieve this;**
- (h)** A minimum of 28 visitor spaces in a location easily accessible to visitors of the site with at least half **(50% of the total)** the visitor spaces horizontal at grade space (e.g. bike hoop) **provided on the ground floor, with at least four cargo bicycle spaces;**
- (i)** A minimum of 61 employee bike parking spaces in a secure location only accessible to employees of the site or residential hotel guests;
- (j) Provision of e-bike charging locations for at least 5% of the total of bicycle spaces;**
- (k)** The headroom clearance of the ramped access-way dimensioned;
- (l)** Plan notation from an accredited access consultant confirming that the accessible parking spaces are satisfactory from an accessibility perspective and satisfy the intent of the DDA;
- (m)** All column depths, setbacks and locations clearly annotated and dimensioned and positioned to ensure that they do not encroach into the parking space clearance envelopes;
- (n)** All ramp grade and transition grade lengths dimensioned;
- (o)** The deletion of any directional arrows and hold lines;
- (p)** The surface material of the setback area adjacent to the laneway different to that of the laneway to clearly demarcate the difference in surface treatment;

**Reports**

- (q)** Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 3) (where relevant to show on plans);
- (r)** Any requirement of the endorsed Landscape Plan (condition 7) (where relevant to show on plans);
- (s)** Any requirement of the endorsed Sustainable Management Plan (condition 9) (where relevant to show on plans);
- (t)** Any requirement of the endorsed Green Travel Plan (condition 13) (where relevant to show on plans);
- (u)** Any requirement of the endorsed Waste Management Plan (condition 15) (where relevant to show on plans);
- (v)** Any requirement of the endorsed Acoustic Report (condition 18) (where relevant to show on plans including notations of key commitments); and
- (w)** Any requirement of the endorsed Wind Assessment Report (condition 24) (where relevant to show on plans).

- 6.2. Before demolition commences, a detailed and annotated photographic record of the former *Davis' Pickle and Sauce Factory* building context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:

- (a) Include the interior and each external elevation of the building;
- (b) Be submitted in black and white format; and
- (c) Be taken by a suitably qualified heritage photographer.

### **Façade Strategy and Materials and Finishes Plan**

- 6.3 In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors;
  - (b) Elevations at a scale of 1:20 or 1:50 detailing all reconstruction works of the northern and southern boundary returns of the former Davis Pickle sauce Factory including notations to say use of recycled bricks and details of all façade works including all restoration works and 'make good works' associated with works to the entries to be prepared by suitably qualified heritage architect;
  - (c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (d) Information about how the heritage façade **and portion of roof as required at Clause 6.1(e)** will be maintained, including any vegetation and informal seating; and
  - (e) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and graffiti proofing of walls, **including doors, perforations and upper levels (where necessary)**.
- 6.4 The use and development as shown on the incorporated plans must not be altered without the prior written consent of the Responsible Authority.
- 6.5 Before the endorsement of plans, written confirmation must be provided from the relevant water authority that the sewer vent in the laneway can either be retained in the existing location or is no longer required and can be removed. If neither of these options can occur, the sewer vent is to be relocated to the satisfaction of the relevant water authority.
- 6.6 As part of the ongoing progress and development of the site, 6a Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee design and construction of the development; and
  - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### **Landscape Plan**

- 6.7 Concurrent with the plans requested at clause 6.1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must show:
- (a) Reference to design changes as required by clause 6.1 and include additional landscaping as required by the amended Wind Assessment Report at clause 6.25;
  - (b) The landscaping on any of the upper levels and how this is going to be maintained, including information on waterproofing, growing media, irrigation and mulch;
  - (c) Details of how any mulch specified on the higher levels will not be at risk of blowing away during high wind events must be provided;



- (d) Details of custom furniture proposed, ensuring safety and compliance standards are met; and
- (e) All plants proposed confirmed to not be listed within DELWP *Advisory List of Environmental Weeds in Victoria*.

6.8 Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) Implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) Not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) Replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

6.9 Concurrent with the plans requested by clause 6.1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this incorporated plans for this document.

The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Atelier Ten dated June 2019 but modified to make reference to design changes as required by clause 6.1 and include the following details:

- (a) Clarify provision of operable windows throughout office areas to reduce reliance on mechanical systems;
- (b) The report and the proposed energy modelling to be consistent in its detailing (i.e. there are inconsistencies between the model input of VLT (0.55) for Glazing and the stated minimum (0.4);
- (c) The type of glazing with regard to energy modelling and clarification of daylight modelling;
- (d) Preliminary modelling or glazing calculations to support evidence for energy savings (i.e. note that a target over the 2016 reference case is required);
- (e) Clarification regarding the consistency with zero carbon goal (i.e. this may not be feasible);
- (f) Specify proportions as % of total, or GHG reduced and remove vague language from materials section;
- (g) Provision of an EMP;
- (h) Update architectural drawings to match details provided in any updated Waste Management Plan; **and**
- (i) **The rainwater tank connected to the toilets for flushing whilst maintaining a 100% STORM score.**

6.10 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 6.11 Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this document, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented.

### **Car Park Management Plan**

- 6.12 Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must address, but not be limited to, the following:
- (a) The number and location of car parking spaces allocated to each tenancy;
  - (b) Any tandem parking spaces allocated to a single tenancy;
  - (c) The number and location of car spaces for shared use, including time of shared use;
  - (d) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
  - (e) Details of way-finding, cleaning and security of end of trip bicycle facilities;
  - (f) Policing arrangements and formal agreements;
  - (g) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.; and
  - (h) Details regarding the management of loading and unloading of goods and materials.
- 6.13 The requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

- 6.14 Concurrent with the plans requested at clause 6.1, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document.

The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid Traffic Engineering dated 3 July 2019 but modified to make reference to the plans as endorsed at clause 6.1.

- 6.15 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

- 6.16 Concurrent with the plans required by clause 6.1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. **The Waste Management Plan must include details of all waste procedures and on the provision of separate bins for glass, recycling and organics.**
- 6.17 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 6.18 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### Acoustic Report

- 6.19 Concurrent with plans required by clause 6.1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the incorporated plans for this document. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Wood and Grieve Engineers and dated 20 November 2019, but modified to include / make reference to:
- (a) The plans requested at Clause 6.1; and
  - (b) Confirmation and evidence to show consideration and all amelioration measures required to address the location of any music venues including 'Rupert on Rupert'.
- 6.20 Within 6 months of the commencement of the residential hotel use, a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at clause 6.19 have been implemented. The supplementary report must be submitted to and approved by the Responsible Authority. When approved, the supplementary report will be endorsed and will form part of the incorporated plans for this document.
- 6.21 All uses must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 6.22 All uses must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
- 6.23 The provision of music on the land must be at a background noise level at all times.
- 6.24 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### Wind Assessment Report

- 6.25 Concurrent with the plans requested at clause 6.1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended report will be endorsed and will form part of the incorporated plans for this document. The amended Wind Assessment Report must be generally in accordance with the findings of the report titled '*Environmental Wind Speed Measurements on a Wind Tunnel Model of the 81-89 Rupert Street Development, Collingwood*' prepared and authored by MEL Consultants and dated 22 November 2019 (Revision No. 2) but modified to include (or show):
- (a) Assessment of the development as amended pursuant to clause 6.1 with:
    - (i) Further assessment of the open air terraces on Levels 01 and 03;
    - (ii) Planting of established trees on Level 03 with a maintenance regime that ensures their survival; and
    - (ii) Application of stricter wind comfort criteria of '*stationary short exposure*' to the lift lobbies and tenancy entrance areas.
- 6.26 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

## Community Benefit Assessment Report

6.27 The Community Benefit Assessment Report prepared by SGS Economics and Planning dated 19 November 2019, must be updated to the satisfaction of the Responsible Authority to reflect the plans as required by clause 6.1 and their requirements. The updated report must also provide details in relation to the methods applied to ensure ongoing public access to all uses within the hours of operation detailed within this document (including the roof top garden). The updated report must be submitted to and approved by the Responsible Authority. When approved, the updated report will be endorsed and will then form part of the incorporated plans for this document.

Within 12 months of the uses commencing, confirmation from the developer must be submitted to the Responsible Authority that all community benefit measures outlined in the endorsed Community Benefit Assessment are operational.

## Structural Report Requirement

**6.28 Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit the incorporated plans for this document. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention.**

**6.29 The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.**

## Residential Hotel Use / Management Plan

**6.30** Concurrent with the plans required by clause 6.1, a Residential Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the incorporated plans for this document. The plan must detail the following:

- (a) Procedures, and standards for guests to minimise amenity and parking problems in the Neighbourhood;
- (b) Ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
- (c) Establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns; and
- (d) An outline of all house rules intended to be used to manage residents and guests including:
  - (i) Guest behaviour;
  - (ii) Noise; and
  - (iii) Methods of eviction if house rules are broken;
- (e) Details of eviction process in the event house rules are broken;
- (f) Standards for property maintenance, health and cleanliness; and
- (g) Security against thefts and break-ins, including security of guests' belongings.

**6.31** The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.

### **Retail (Shops)**

**6.32** Except with the prior written consent of the Responsible Authority, the retail (shops) use authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 7.00am – 10pm.

### **Cinema**

**6.33** Except with the prior written consent of the Responsible Authority, the cinema authorised by this document may only operate between the following hours with up to 46 patrons:

- (a) Monday to Sunday: 10.00am – 12 midnight.

### **Restaurant / food and drink premises / Restaurant Management Plan**

**6.34** Except with the prior written consent of the Responsible Authority, the restaurant(s) / food and drink premises authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 7.00am – 12 midnight.

**6.35** Except with the prior written consent of the Responsible Authority, the restaurant use authorised by this document may only operate with the following patron numbers:

- (a) Unit B (Second floor): 350 patrons; and
- (b) Unit B (Mezzanine): 110 patrons.

**6.36** Concurrent with the plans required by Condition 1 by clause 6.1, a Restaurant Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit the incorporated plans for this document. The plan must detail the following:

- (a) Procedures, and standards for managing patrons and any parking issues to minimise amenity impacts to the surrounding neighbourhood; and
- (b) Ongoing measures to be taken to ensure patrons do not cause any unreasonable amenity impact to persons beyond the land.

**6.37** The restaurant use must be managed in accordance with the endorsed Restaurant Management Plan.

### **Restricted Recreation**

**6.38** Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate between the following hours:

- (a) Monday to Sunday: 5.00am – 10pm.

**6.39** Except with the prior written consent of the Responsible Authority, the restricted recreation areas authorised by this document may only operate with the following patron numbers:

- (a) Unit C - Wellness Suite: 150 Patrons; and
- (b) Gymnasium: 150 patrons.

## Developer contribution

- 6.40** Prior to the commencement of the development, this developer of the site must pay the Responsible Authority a \$5,000 **\$10,000** contribution for the installation of a contra-flow bicycle lane **with supporting signage both on-road** on Rupert Street between Gipps Street and Langridge Street **and at vehicle entry points** – or similar bicycle access improvements to the subject site as agreed in writing **to the satisfaction of the Responsible Authority**.
- 6.41** The Responsible Authority must use the funds on the agreed project within 12 months of the practical completion of the development. After 12 months of the expiry of this document, the document holder may request a refund for the full amount if the agreed project has not been commenced **or is not proposed to proceed**.

## Road Infrastructure

- 6.42** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.
- 6.43** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be constructed:
- (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.
- 6.44** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:
- (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.
- 6.45** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.

## Car parking

- 6.46** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) Constructed and available for use in accordance with the endorsed plans;
  - (b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) Treated with an all-weather seal or some other durable surface; and
  - (d) Line-marked or provided with some adequate means of showing the car parking spaces,
- to the satisfaction of the Responsible Authority.

**6.47** Except with the prior written consent of the Responsible Authority, no less than 40 car spaces must be provided on the site at all times.

### **Loading on Site**

**6.48** The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

### **Lighting**

**6.49** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

- (a) Located;
- (b) Directed;
- (c) Shielded; and
- (d) Of limited intensity

to the satisfaction of the Responsible Authority.

### **General**

**6.50** Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

**6.51** Speakers external to the building (inclusive of the balcony / terraces and rooftop areas) must not be erected or used.

**6.52** As part of the ongoing progress and development of the site, 6a Architects (being the architect who designed the building), or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

- (a) Oversee design and construction of the development; and
- (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

**6.53** Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

**6.54** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

**6.55** All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

**6.56** All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

**6.57** Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

## Construction Management

**6.58** Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the incorporated plans for this document. The plan must provide for:

- (a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) Works necessary to protect road and other infrastructure;
- (c) Remediation of any damage to road and other infrastructure;
- (d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
- (e) Facilities for vehicle washing, which must be located on the land;
- (f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) Site security;
- (h) Management of any environmental hazards including, but not limited to,:
  - (i) Contaminated soil;
  - (ii) Materials and waste;
  - (iii) Dust;
  - (iv) Stormwater contamination from run-off and wash-waters;
  - (v) Sediment from the land on roads;
  - (vi) Washing of concrete trucks and other vehicles and machinery; and
  - (vii) Spillage from refuelling cranes and other vehicles and machinery;
- (i) The construction program;
- (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) Parking facilities for construction workers;
- (l) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

In preparing the Noise and Vibration Management Plan, consideration must be given to:



- (i) Using lower noise work practice and equipment;
  - (ii) The suitability of the land for the use of an electric crane;
  - (iii) Silencing all mechanical plant by the best practical means using current technology;
  - (iv) Fitting pneumatic tools with an effective silencer;
  - (v) other relevant considerations; and
- (q) Any site-specific requirements.

*During the construction:*

- (r) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (t) Vehicle borne material must not accumulate on the roads abutting the land;
- (u) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

### **Construction Times**

**6.59** Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **7.0 EXPIRY OF INCORPORATED DOCUMENT**

7.1 Notwithstanding other provisions of this document, this Incorporated Document will expire if one of the following circumstances applies:

- (a) The development is not started within one year of the date of the gazettal of Amendment C283yara; and
- (b) If a new development proposal is applied for.

### **End of Document**

**CARRIED UNANIMOUSLY**

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## 11.5 Planning Scheme Amendment C377melb – Ikon Park Redevelopment

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Reference: D20/129515

Authoriser: Director Planning and Place Making

### RECOMMENDATION

**Start time: 10.02pm**

1. That Council:
  - (a) notes the officer report regarding *Planning Scheme Amendment C377 – IKON Park Redevelopment* to the Melbourne Planning Scheme which has been notified to the Council by the Minister for Planning;
  - (b) notes the opportunity for the Yarra City Council to provide comments to the Minister for Planning in relation to the proposed provisions of the planning scheme amendment; and
  - (c) notes the issues raised by members of the local community in Princes Hill and Carlton North as summarised in the officer report.
2. That Council makes a submission to the Minister for Planning which is based on the matters set out in section 20 and 21 of this report, relating to:
  - (a) the appropriateness of the proposed planning tools;
  - (b) the need for a lighting assessment to be prepared to mitigate negative impacts upon residential properties within Yarra;
  - (c) the need for traffic and car parking assessment to mitigate impacts on surrounding residential streets;
  - (d) the need for an urban design assessment to demonstrate the amendment documentation achieves good urban design outcomes; and
  - (e) the need for broader community consultation to occur to inform the Planning Scheme Amendment process having regard to the Incorporated Document approach that would allow for use and development of the site in accordance with provisions of the scheme without the need for a planning permit process.

### Public Submissions

*The following people made a submission to Council on the matter:*

*Christine Christian, Protect Park Street Precinct Pty Ltd;*

*Chris Townshend QC, Board member – Carlton FC with:*

*Vaughan Connor, Contour;*

*Mark Lo Giudice, President Carlton FC; and*

*Patty Kinnersly, Board Member and head of Carlton FC AFLW program; and*

*Adrienne Clark.*

*Councillor Jolly left the meeting at 10.24pm*

*Councillor Jolly returned at 10.50pm*

## COUNCIL RESOLUTION

**Moved:** Councillor Coleman

**Seconded:** Councillor Fristacky

1. That Council:
  - (a) notes the officer report regarding *Planning Scheme Amendment C377 – IKON Park Redevelopment* to the Melbourne Planning Scheme which has been notified to the Council by the Minister for Planning;
  - (b) notes the opportunity for the Yarra City Council to provide comments to the Minister for Planning in relation to the proposed provisions of the planning scheme amendment; and
  - (c) notes the issues raised by members of the local community in Princes Hill and Carlton North as summarised in the officer report.
2. That Council makes a submission to the Minister for Planning which is based on the matters set out in section 22 and 23 of this report, relating to:
  - (a) the appropriateness of the proposed planning tools;
  - (b) the need for a lighting assessment to be prepared to mitigate negative impacts upon residential properties within Yarra;
  - (c) the need for traffic and car parking assessment to mitigate impacts on surrounding residential streets;
  - (d) the need for an urban design assessment to demonstrate the amendment documentation achieves good urban design outcomes; and
  - (e) the need for broader community consultation to occur and the provision of further information to inform the Planning Scheme Amendment process having regard to the Incorporated Document approach that would allow for use and development of the site in accordance with provisions of the scheme without the need for a planning permit process; and
  - (f) the need for waste management including glass and organics recycling, environmental impacts and heritage impacts to be considered as part of the decision-making criteria;
3. That Council request an analysis of whether this proposal would alienate any additional public lands.

**CARRIED UNANIMOUSLY**

## CALL FOR A DIVISION

**For:** Councillors Coleman, Fristacky, Jolly, Stone, Chen Yi Mei, Searle, Bosler, Nguyen and O'Brien

**Against:** Nil

*The Mayor adjourned the meeting at 10.53pm*

*The meeting resumed at 10.59pm*

*The order of business suspended to hear items 12.3, 12.1 and 12.2 before going back to item 11.6*

## COUNCIL RESOLUTION (PROCEDURAL)

**Moved:** Councillor Jolly

**Seconded:** Councillor Fristacky

That the meeting be further extended for a further 30 minutes.

**CARRIED**

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## 11.6 Governance Rules

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Reference: D20/129744

Authoriser: Group Manager Chief Executive's Office

### RECOMMENDATION

**Start time: 11.18pm**

1. That Council:

- (a) adopt the Governance Rules at **Attachment One** (following incorporation of the mark-ups as proposed); and
- (b) adopt the Council Meetings Operations Policy at **Attachment Two**.

### REVISED RECOMMENDATION

1. That Council:

- (a) adopt the Governance Rules at **Attachment One** (following incorporation of the mark-ups as proposed and then subject to the following changes):
  - (i) deletion of Chapter Two, Rule 9.2;
  - (ii) deletion of the word "permitted" in Chapter Two, Rule 13.2;
  - (iii) replacement of the words "directly opposite to" with "inconsistent with" in Chapter Two, Rule 24.3;
  - (iv) replacement of the word "their" with "the" in Chapter Two, Rule 39.3;
  - (v) deletion of Chapter Two, Rule 43 and 43.1;
  - (vi) deletion of Chapter Two, Rule 49.3.1 and the incorporation of Rule 49.3.2 into Rule 49.3;
  - (vii) replacement of Chapter Two, Rule 55.3.1 with "ask each Councillor wishing to vote in the affirmative to raise a hand;" and insertion of a new 55.3.2 reading "state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those Councillors voting in the affirmative; and"
  - (viii) replacement of the word "their" with "*the Chair's*" in Chapter Two, Rule 62; and
  - (ix) the consequential renumbering of rules arising from these changes; and
- (b) defer consideration of the Council Meetings Operations Policy at **Attachment Two** to the Council Meeting on 15 September 2020.

## COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor Coleman

1. That Council:

- (a) adopt the Governance Rules at **Attachment One** (following incorporation of the mark-ups as proposed and then subject to the following changes):
  - (i) deletion of Chapter Two, Rule 9.2;
  - (ii) deletion of the word “permitted” in Chapter Two, Rule 13.2;
  - (iii) replacement of the words "directly opposite to" with "inconsistent with" in Chapter Two, Rule 24.3;
  - (iv) replacement of the word “their” with “the” in Chapter Two, Rule 39.3;
  - (v) deletion of Chapter Two, Rule 43 and 43.1;
  - (vi) deletion of Chapter Two, Rule 49.3.1 and the incorporation of Rule 49.3.2 into Rule 49.3;
  - (vii) replacement of Chapter Two, Rule 55.3.1 with "ask each Councillor wishing to vote in the affirmative to raise a hand;" and insertion of a new 55.3.2 reading “state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those Councillors voting in the affirmative; and”
  - (viii) replacement of the word “their” with “the Chair’s” in Chapter Two, Rule 62; and
  - (ix) the consequential renumbering of rules arising from these changes; and
- (b) defer consideration of the Council Meetings Operations Policy at **Attachment Two** to the Council Meeting on 15 September 2020.

**CARRIED UNANIMOUSLY**

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## 11.7 Instruments of Delegation

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Reference: D20/127472

Authoriser: Group Manager Chief Executive's Office

### RECOMMENDATION

**Start time: 11.24pm**

#### Delegation to the Chief Executive Officer

1. That in the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer at **Attachment One**, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

#### Delegation to Members of Council Staff

2. That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves:
  - (a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation to members of Council staff at **Attachment Two**, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

#### Planning Decisions Committee

3. That Council dissolve the Internal Development Approvals Committee, effective 31 August 2020.
4. That in the exercise of the power conferred by s63 of the Local Government Act 2020, Council establish a Delegated Committee called the Planning Decisions Committee and further declare that:
  - (a) the membership comprises Cr Danae Bosler, Cr Mi-Lin Chen Yi Mei, Cr Misha Coleman, Cr Jackie Fristacky, Cr Stephen Jolly, Cr Daniel Nguyen, Cr Brigid O'Brien, Cr James Searle and Cr Amanda Stone;
  - (b) the Chief Executive Officer, in consultation with Councillors, be authorised to determine a quarterly attendance roster allocating three Councillors to each meeting, with the Planning Decisions Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute; and

- (c) the Planning Decisions Committee meet from 6.30pm on 9 September, 23 September, 14 October, 18 November, 2 December and 16 December 2020 and that the Chief Executive Officer be authorised to determine the location of meetings.
5. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
- (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at **Attachment Three**, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
  - (c) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Inner Melbourne Action Plan Implementation Committee

6. That Council dissolve the Inner Melbourne Action Plan Implementation Committee, effective 31 August 2020.
7. That in the exercise of the power conferred by s64 of the Local Government Act 2020, Council establish a Joint Delegated Committee called the Inner Melbourne Action Plan Implementation Committee jointly with the City of Melbourne, the City of Port Phillip, the City of Stonnington and the Maribyrnong City Council and appoints as voting members the persons from time to time holding the positions of:
- (a) Mayor, Maribyrnong City Council;
  - (b) Chair, Future Melbourne (Planning) Committee, City of Melbourne;
  - (c) Mayor, City of Port Phillip;
  - (d) Mayor, City of Stonnington;
  - (e) Mayor, City of Yarra;
  - (f) Chief Executive Officer, Maribyrnong City Council;
  - (g) Chief Executive Officer, City of Melbourne;
  - (h) Chief Executive Officer, City of Port Phillip;
  - (i) Chief Executive Officer, City of Stonnington; and
  - (j) Chief Executive Officer, City of Yarra.
8. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
- (a) there be delegated to the members of the Inner Melbourne Action Plan Implementation Committee the powers, duties and functions relevant to the Committee's governance arrangements in accordance with the Instrument of Delegation, Schedule and Terms of Reference in **Attachment Four**, subject to the conditions and limitations specified in that Instrument; and
  - (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it.

## REVISED RECOMMENDATION

### Delegation to the Chief Executive Officer

1. That in the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer at **Attachment One**, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### Delegation to Members of Council Staff

2. That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves:
  - (a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation to members of Council staff at **Attachment Two**, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### Planning Decisions Committee

3. That Council dissolve the Internal Development Approvals Committee, effective 31 August 2020.
4. That in the exercise of the power conferred by s63 of the Local Government Act 2020, Council establish a Delegated Committee called the Planning Decisions Committee and further declare that:
  - (a) the membership comprises Cr Danae Bosler, Cr Mi-Lin Chen Yi Mei, Cr Misha Coleman, Cr Jackie Fristacky, Cr Stephen Jolly, Cr Daniel Nguyen, Cr Brigid O'Brien, Cr James Searle and Cr Amanda Stone;
  - (b) the Chief Executive Officer, in consultation with Councillors, be authorised to determine a quarterly attendance roster allocating one Councillor from each ward to each meeting, with the Planning Decisions Committee membership for each meeting comprising those Councillors rostered to attend or a substitute (appointed by the Chief Executive Officer and from the same ward where possible); and
  - (c) the Planning Decisions Committee meet from 6.30pm on 9 September, 23 September, 14 October, 18 November, 2 December and 16 December 2020 and that the Chief Executive Officer be authorised to determine the location of meetings.
5. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:



- (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at **Attachment Three** (following the erroneous references to the Internal Development Approvals Committee in that attachment being replaced with the Planning Decisions Committee), subject to the conditions and limitations specified in that Instrument;
- (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
- (c) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Inner Melbourne Action Plan Implementation Committee

- 6. That Council dissolve the Inner Melbourne Action Plan Implementation Committee, effective 31 August 2020.
- 7. That in the exercise of the power conferred by s64 of the Local Government Act 2020, Council establish a Joint Delegated Committee called the Inner Melbourne Action Plan Implementation Committee jointly with the City of Melbourne, the City of Port Phillip, the City of Stonnington and the Maribyrnong City Council and appoints as voting members the persons from time to time holding the positions of:
  - (a) Mayor, Maribyrnong City Council;
  - (b) Chair, Future Melbourne (Planning) Committee, City of Melbourne;
  - (c) Mayor, City of Port Phillip;
  - (d) Mayor, City of Stonnington;
  - (e) Mayor, City of Yarra;
  - (f) Chief Executive Officer, Maribyrnong City Council;
  - (g) Chief Executive Officer, City of Melbourne;
  - (h) Chief Executive Officer, City of Port Phillip;
  - (i) Chief Executive Officer, City of Stonnington; and
  - (j) Chief Executive Officer, City of Yarra.
- 8. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the members of the Inner Melbourne Action Plan Implementation Committee the powers, duties and functions relevant to the Committee's governance arrangements in accordance with the Instrument of Delegation, Schedule and Terms of Reference in **Attachment Four**, subject to the conditions and limitations specified in that Instrument; and
  - (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it.

## COUNCIL RESOLUTION

**Moved:** Councillor O'Brien

**Seconded:** Councillor Fristacky

### Delegation to the Chief Executive Officer

1. That in the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer at **Attachment One**, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### Delegation to Members of Council Staff

2. That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves:
  - (a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation to members of Council staff at **Attachment Two**, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
  - (c) on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and
  - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### Planning Decisions Committee

3. That Council dissolve the Internal Development Approvals Committee, effective 31 August 2020.
4. That in the exercise of the power conferred by s63 of the Local Government Act 2020, Council establish a Delegated Committee called the Planning Decisions Committee and further declare that:
  - (a) the membership comprises Cr Danae Bosler, Cr Mi-Lin Chen Yi Mei, Cr Misha Coleman, Cr Jackie Fristacky, Cr Stephen Jolly, Cr Daniel Nguyen, Cr Brigid O'Brien, Cr James Searle and Cr Amanda Stone;
  - (b) the Chief Executive Officer, in consultation with Councillors, be authorised to determine a quarterly attendance roster allocating one Councillor from each ward to each meeting, with the Planning Decisions Committee membership for each meeting comprising those Councillors rostered to attend or a substitute (appointed by the Chief Executive Officer and from the same ward where possible); and
  - (c) the Planning Decisions Committee meet from 6.30pm on 9 September, 23 September, 14 October, 18 November, 2 December and 16 December 2020 and that the Chief Executive Officer be authorised to determine the location of meetings.

5. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at **Attachment Three** (following the erroneous references to the Internal Development Approvals Committee in that attachment being replaced with the Planning Decisions Committee), subject to the conditions and limitations specified in that Instrument;
  - (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
  - (c) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Inner Melbourne Action Plan Implementation Committee

6. That Council dissolve the Inner Melbourne Action Plan Implementation Committee, effective 31 August 2020.
7. That in the exercise of the power conferred by s64 of the Local Government Act 2020, Council establish a Joint Delegated Committee called the Inner Melbourne Action Plan Implementation Committee jointly with the City of Melbourne, the City of Port Phillip, the City of Stonnington and the Maribyrnong City Council and appoints as voting members the persons from time to time holding the positions of:
  - (a) Mayor, Maribyrnong City Council;
  - (b) Chair, Future Melbourne (Planning) Committee, City of Melbourne;
  - (c) Mayor, City of Port Phillip;
  - (d) Mayor, City of Stonnington;
  - (e) Mayor, City of Yarra;
  - (f) Chief Executive Officer, Maribyrnong City Council;
  - (g) Chief Executive Officer, City of Melbourne;
  - (h) Chief Executive Officer, City of Port Phillip;
  - (i) Chief Executive Officer, City of Stonnington; and
  - (j) Chief Executive Officer, City of Yarra.
8. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
  - (a) there be delegated to the members of the Inner Melbourne Action Plan Implementation Committee the powers, duties and functions relevant to the Committee's governance arrangements in accordance with the Instrument of Delegation, Schedule and Terms of Reference in **Attachment Four**, subject to the conditions and limitations specified in that Instrument; and
  - (b) the instrument comes into force on 1 September 2020 once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it.

**CARRIED UNANIMOUSLY**

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## 11.8 Transparency and Good Governance Policies

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Reference: D20/129745

Authoriser: Group Manager Chief Executive's Office

### RECOMMENDATION

Start time: 11.26pm

1. That Council adopt:
  - (a) the Public Transparency Policy at **Attachment One** as the public transparency policy required under section 57 of the Local Government Act 2020;
  - (b) the Councillor Support Policy at **Attachment Two** as the expenses policy as required under section 41 of the Local Government Act 2020; and
  - (c) the Council Committees Policy at **Attachment Three**.

### REVISED RECOMMENDATION

1. That Council adopt:
  - (a) the Public Transparency Policy at **Attachment One** as the public transparency policy required under section 57 of the Local Government Act 2020;
  - (b) the Councillor Support Policy at **Attachment Two** with the following changes:
    - (i) replacement of the final paragraph in section 9.2 with “For reimbursement of vehicle mileage, claims must be accompanied by starting and finishing odometer readings or, where they are not provided, will be calculated based on the shortest route between the origin and destination as calculated by an online mapping service.  
To enable all expenses to be included in the quarterly report, Councillors must lodge all reimbursement claims within one month of the conclusion of the quarter in which the expense was incurred”;
    - (ii) replacement of the word “shall” with “must” under ‘Air Travel’ in section 6.3, under ‘Conference Reports’ in section 9.3 and in the dot points in section 9.5; and
    - (iii) replacement of the word “shall” with “will” wherever else appearing  
as the expenses policy as required under section 41 of the Local Government Act 2020; and
  - (c) the Council Committees Policy at **Attachment Three**.

## COUNCIL RESOLUTION

**Moved:** Councillor Searle

**Seconded:** Councillor Fristacky

1. That Council adopt:

- (a) the Public Transparency Policy at **Attachment One** as the public transparency policy required under section 57 of the Local Government Act 2020;
- (b) the Councillor Support Policy at **Attachment Two** with the following changes:
  - (i) under section 41, item 6.3 - Travel and the heading Accommodation, remove the words "at a four-star or above standard (or equivalent)."
  - (ii) Under section 41, item 6.3 – Travel and the heading Meals and incidentals, remove the words "Other than with a meal";
  - (iii) replacement of the final paragraph in section 9.2 with “For reimbursement of vehicle mileage, claims must be accompanied by starting and finishing odometer readings or, where they are not provided, will be calculated based on the shortest route between the origin and destination as calculated by an online mapping service.  
To enable all expenses to be included in the quarterly report, Councillors must lodge all reimbursement claims within one month of the conclusion of the quarter in which the expense was incurred”;
  - (iv) replacement of the word “shall” with “must” under ‘Air Travel’ in section 6.3, under ‘Conference Reports’ in section 9.3 and in the dot points in section 9.5; and
  - (v) replacement of the word “shall” with “will” wherever else appearing  
as the expenses policy as required under section 41 of the Local Government Act 2020; and
- (c) the Council Committees Policy at **Attachment Three**.

**CARRIED UNANIMOUSLY**

## COUNCIL RESOLUTION (PROCEDURAL)

**Moved:** Councillor Jolly

**Seconded:** Councillor Fristacky

That the meeting be further extended to 11.30pm

**CARRIED**

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**12.1 Notice of Motion No.9 of 2020 - Push Notification System for Yarra**

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Reference: D20/132129

Authoriser: Group Manager Chief Executive's Office

**RECOMMENDATION****Start time: 11.09pm**

1. That Council:
  - (a) request appropriate Officers provide a brief Report on a Yarra Push Notification System that includes:
    - (i) the viability of such a system and what it could include in terms of filters and links, etc.;
    - (ii) the potential implementation timeline; and
    - (iii) the plan to inform our community of the system; and
  - (b) request a recommendation for consideration before the election period if possible.

**REVISED RECOMMENDATION**

1. That Council:
  - (a) request appropriate Officers provide a brief Report on a Yarra Push Notification System that includes:
    - (i) the viability of such a system for planning permit applications and what it could include in terms of filters, features and links, etc.;
    - (ii) the potential implementation timeline;
    - (iii) the plan to inform our community of the system; and
    - (iv) possible future extensions of the system, including consideration of community submissions received to date (Attachment 1); and
  - (b) request a recommendation for consideration as soon as possible.

*Councillor Stone left the meeting at 11.10pm*

*Councillor Stone returned at 11.14pm*

**COUNCIL RESOLUTION****Moved:** Councillor O'Brien**Seconded:** Councillor Fristacky

1. That Council:
  - (a) request appropriate Officers provide a brief Report on a Yarra Push Notification System that includes:
    - (i) the viability of such a system for planning permit applications and what it could include in terms of filters, features and links, etc.;
    - (ii) the potential implementation timeline;
    - (iii) the plan to inform our community of the system; and
    - (iv) possible future extensions of the system, including consideration of community submissions received to date (Attachment 1); and
  - (b) request a recommendation for consideration as soon as possible.

**CARRIED UNANIMOUSLY**

## **ATTACHMENT 1**

### **COMMUNITY SUBMISSIONS:**

**Planning applications that get referred to VCAT due to Council's failure to respond within 60 days, which are not advertised on Council website and not presented to IDAC, should also be included.**

As a Yarra Resident:

- I want to be able to subscribe to receive notice of planning applications that interest me so that I can understand what is being proposed in my neighbourhood and react accordingly.
- As a resident, I want to be able to filter my subscription so that I am only notified by planning applications that meet my criteria.
- The filter would allow me to only include applications that match certain wards, postcodes, streets, grid cells, or within a fixed radius of some location that I can click on a map.
- The filter would further allow me to only include applications that match criteria including, maximum height in storeys or metres, min estimated cost, number of dwellings, demolition in a heritage overlay, parking dispensation, liquor, extensions, amendments and VCAT applications.
- I want the subscription to include a map that pin-points the subject site (or highlights the subject cadastre) so that I can see at a glance where it is.
- I want the subscription to include a photo of the street address to help me recognise the existing building or site.
- I want the subscription to include a link to plans, elevations, the application and submitted reports so that I can easily access relevant information regarding the proposal.
- I want the subscription to include a link to a form so that I can object to the proposal.
- I want the subscription to include relevant dates such as when the application was received and when objections are due.
- I want to be able to make more than one subscription using different criteria so that I may follow diverse activities.
- I want to be able to change my subscription as my needs and interests change.
- I want to be able to choose how I receive notifications on a channel that is convenient for me. This could be email, text/whatsapp, facebook or twitter.
- I want to be able to choose whether to receive notifications as a weekly or daily dispatch, or as soon as they are created so that I am not overwhelmed by updates.

A Councilor or Officer may want to be able to track overall usage of the site without exposing the privacy of users.

Consider a Smart phone app (and associated server side software) with the verified accounts for everyone on the City of Yarra electoral roll.

The app could offer the following benefits:

- Enable low-cost high-speed surveys, e.g. answers within 1 week, with automated delivery of tables and charts, or results displayed on a map of Yarra. At present, Councilors are required to balance the significant cost of conducting traditional community engagement with the value of obtaining the results. With an app, the barrier is removed. Councilors can request engagement on a much wider range of issues, and have the results available before the next Council meeting.
- Reduce the 'error in the feedback loop' between residents and Councilors, because the app would be easier to use, and thus increase the response rate for each survey, e.g. from < 1% of residents to > 10% of residents. This would greatly increase the confidence level in the representativeness of the result.
- Simple access (for those with 'Councilor' accounts) to the full text of all survey responses.
- Enable contentious issues to be rapidly identified and then escalated to a higher cost form of community engagement, such as a citizens' jury.

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**12.2 Notice of Motion No.10 of 2020 - Keep the Rate**

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Reference: D20/132181

Authoriser: Group Manager Chief Executive's Office

**RECOMMENDATION****Start time: 11.15pm**

1. That Council notes:
  - (a) the many Yarra residents that rely on Federal Government income support payments and the inadequacy of the Newstart and Youth Allowance payment rates prior to their increase March 2020 (having not been raised in real terms since 1994);
  - (b) the impact that COVID-19 has had on Yarra workers with many more now relying on income support payments (more than doubling since March 2020, increasing from 2,884 to 6,574 people);
  - (c) that the current rate of JobSeeker and Youth Allowance has ensured 1.85 million people are not living in poverty, including pulling nearly 900,000 people out of poverty who were receiving income support payments before COVID-19;
  - (d) that the Federal Government has an obligation to ensure these payments are adequate by permanently raising the rate, which will keep millions of unwaged, underemployed, insecure workers and students above the poverty line;
  - (e) that the Disability Support Pension and Carers Payment were excluded from financial support extended to job seekers during COVID-19 which has put significant financial strain on recipients of these payments, who remain below the poverty line and many of whom have higher costs than people who are not living with a disability; and
  - (f) that any cut to the JobSeeker or Youth Allowance payments – currently planned for 24 September, which the Australian Unemployed Workers' Union has dubbed #PovertyDay – will plunge many people reliant on income support payments into deep poverty, including thousands of people living in Yarra.
2. That Council calls on the Federal Government to retain the current payment rate for JobSeeker and Youth Allowance, to permanently increase the Disability Support Pension and Carers Payment by the same amount of \$550 per fortnight, and to extend the suspension of mutual obligations at least until 31 December 2020.
3. That Council supports the Australian Unemployed Workers' Union #KeepTheRate campaign and will work with the AUWU, Raise the Rate affiliates and other community groups to retain the current level of JobSeeker and Youth Allowance payments.
4. That Council writes to the Prime Minister, Federal Opposition Leader, relevant Ministers and Shadow Ministers, the Australian Council of Trade Unions and the Australian Council of Social Services to communicate the points contained in this motion.



## COUNCIL RESOLUTION

**Moved:** Councillor Searle

**Seconded:** Councillor Jolly

1. That Council notes:
  - (a) the many Yarra residents that rely on Federal Government income support payments and the inadequacy of the Newstart and Youth Allowance payment rates prior to their increase March 2020 (having not been raised in real terms since 1994);
  - (b) the impact that COVID-19 has had on Yarra workers with many more now relying on income support payments (more than doubling since March 2020, increasing from 2,884 to 6,574 people);
  - (c) that the current rate of JobSeeker and Youth Allowance has ensured 1.85 million people are not living in poverty, including pulling nearly 900,000 people out of poverty who were receiving income support payments before COVID-19;
  - (d) that the Federal Government has an obligation to ensure these payments are adequate by permanently raising the rate, which will keep millions of unwaged, underemployed, insecure workers and students above the poverty line;
  - (e) that the Disability Support Pension and Carers Payment were excluded from financial support extended to job seekers during COVID-19 which has put significant financial strain on recipients of these payments, who remain below the poverty line and many of whom have higher costs than people who are not living with a disability; and
  - (f) that any cut to the JobSeeker or Youth Allowance payments – currently planned for 24 September, which the Australian Unemployed Workers' Union has dubbed #PovertyDay – will plunge many people reliant on income support payments into deep poverty, including thousands of people living in Yarra.
2. That Council calls on the Federal Government to retain the current payment rate for JobSeeker and Youth Allowance, to permanently increase the Disability Support Pension and Carers Payment by the same amount of \$550 per fortnight, and to extend the suspension of mutual obligations at least until 31 December 2020.
3. That Council supports the Australian Unemployed Workers' Union #KeepTheRate campaign and will work with the AUWU, Raise the Rate affiliates and other community groups to retain the current level of JobSeeker and Youth Allowance payments.
4. That Council writes to the Prime Minister, Federal Opposition Leader, relevant Ministers and Shadow Ministers, the Australian Council of Trade Unions and the Australian Council of Social Services to communicate the points contained in this motion.

**CARRIED UNANIMOUSLY**

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**12.3 Notice of Motion No.11 of 2020 - Richmond Estate Car Park Safety**

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Reference: D20/132185

Authoriser: Group Manager Chief Executive's Office

**RECOMMENDATION**

**Start time: 11.01pm**

1. That Council acknowledge:
  - (a) the increasing on street parking pressures in and around Elizabeth St Richmond, reflective of increasing car parking pressures across inner Melbourne;
  - (b) the long term safety concerns expressed by residents of the public housing towers in North Richmond and their preference for using on street parking rather than the onsite car parking provided;
  - (c) Council's policy that parking provided onsite should be used to alleviate on street car parking pressures; and
  - (d) the lack of action on safety concerns about the North Richmond towers car parking despite this being raised with DHHS over many years.
2. That the Mayor write to the Member for Richmond, Richard Wynne and the secretary of the DHHS Ben Rimmer requesting urgent action on improving safety and amenity on the onsite car parking at the North Richmond towers to support residents and their visitors using the car park to free up on street car parking for visitors and residents without access to off street parking.

**Public Submission**

*Mark Soffer made a submission to Council on the matter.*

*Councillor Chen Yi Mei returned to the meeting at 11.03pm*

*Councillor Jolly left the meeting at 11.03pm*

*Councillor Jolly returned at 11.06pm*

## **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Chen Yi Mei

1. That Council acknowledge:
  - (a) the increasing on street parking pressures in and around Elizabeth St Richmond, reflective of increasing car parking pressures across inner Melbourne;
  - (b) the long term safety concerns expressed by residents of the public housing towers in North Richmond and their preference for using on street parking rather than the onsite car parking provided;
  - (c) Council's policy that parking provided onsite should be used to alleviate on street car parking pressures; and
  - (d) the lack of action on safety concerns about the North Richmond towers car parking despite this being raised with DHHS over many years.
2. That the Mayor write to the Member for Richmond, Richard Wynne and the secretary of the DHHS Ben Rimmer requesting urgent action on improving safety and amenity on the onsite car parking at the North Richmond towers to support residents and their visitors using the car park to free up on street car parking for visitors and residents without access to off street parking.

**CARRIED UNANIMOUSLY**

Following consideration of Confidential business, the meeting resumed in open session.

**Conclusion**

The meeting concluded at 12.22am.

Confirmed Tuesday 20 October 2020

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Mayor